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The better Relief and Employment
of the Poor;

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Enforcing and amending the Laws
respecting Houses of Correction,
and Vagrants;

A N D F O R

Improving the Police of this
Country.

T O G E T H E R W I T H

BILLS intended to be offered to
PARLIAMENT for those Purposes.

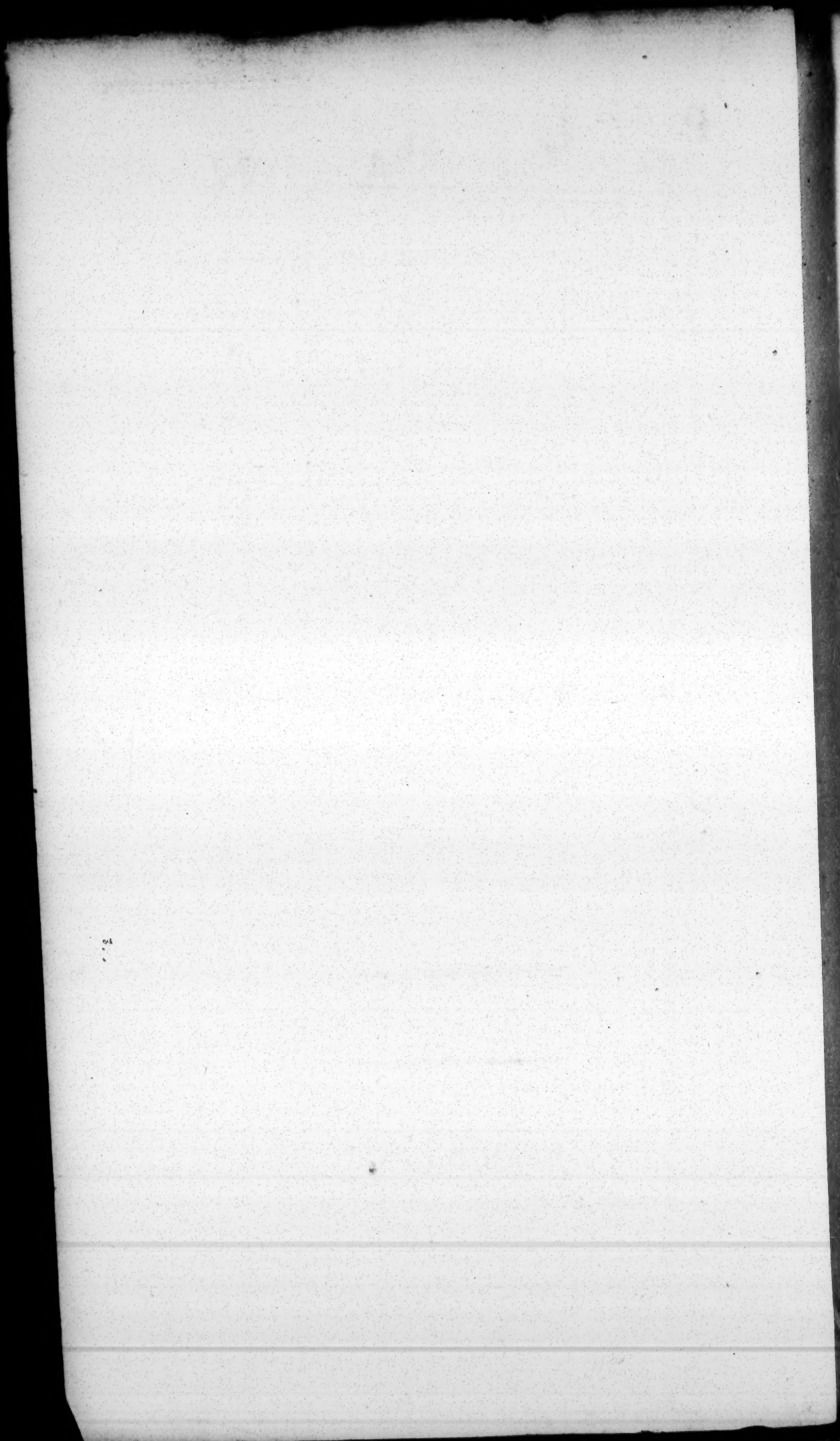
By THOMAS GILBERT, Esq.

L O N D O N

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To the R E A D E R.

THE Expence of maintaining the Poor, since the first Establishment of Poor Rates, in the Reign of Queen Elizabeth, having gradually increased, to the Amount of at least Two Millions a Year; exclusive of all the Public and Private Charities, which are immense; and being yet advancing, in a very rapid and alarming Degree, calls aloud for some speedy and effectual Interposition and Relief; especially when we see the Poor, after all these Expences, distressed, begging, and starving, in most Parts of the Kingdom.

To investigate the Causes, and point out the Remedy for this Evil, is the arduous Task I have undertaken.

Idleness, Profligacy, and a Relaxation of the Laws, are undoubtedly the Causes. Labour and Industry, under a vigorous and spirited Execution of the Laws, with some few Amendments, must be the Remedy.

My great Objects are to promote Industry, by compelling every poor Person

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to labour who is able to work; to take proper Care of those who are not so, to reform the dissolute, and refractory, by Punishments well adapted to their Offences; and, by a seasonable and prudent Oeconomy, to guard against every Imposition and unnecessary Expence: It is therefore extremely material to consider which is the best Mode to effect these great and desirable Purposes.

This heavy Burden, which the People have been so long oppressed with, has produced many Efforts to be relieved from it; the last Attempt of that Sort was about sixteen Years ago, by a Bill which I brought into Parliament upon a very extensive Plan; to form every County into a convenient Number of Districts, and to establish a House of Industry in each, for the Reception and Employment of the Poor (in the Manner then lately established by Parliament within several incorporated Districts).

That Bill, after full Consideration, passed the House of Commons, with very little Opposition; but was afterwards rejected by the Lords.

Since that Time, many Proceedings have been taken in the House of Commons, with a View to the future Consideration of that Subject, and Returns have been procured from the several Houses of Industry, and Workhouses, and also

also from the Houses of Correction, in different Parts of the Kingdom.

From these, and the best Information which can be collected, it appears, that the Houses of Industry have succeeded very well, in Places where they have been duly attended by Gentlemen respectable in their Neighbourhood; but in others, where the Inspectors have not been so strict, Impositions have crept in, and rendered them less beneficial.

Finding these Houses attended with a considerable Expence in their Buildings and Furniture, and the Success of them, in some Degree, precarious, from the Circumstances I have mentioned; and knowing the Difficulties of procuring Money for great Works, in the present Situation of Public Affairs (even if that Plan of large Houses should have appeared most eligible), I have turned my Thoughts to another, upon a more Oeconomical Scale in Point of Expence, but equally great in the Extent of its Objects.

To make this Plan more practicable, and to facilitate the Progress and Execution of it, I have divided it under three Heads, and prepared a Bill for each, though in many respects they are much connected.

The First is, "For the better Relief and Employment of the Poor."

The Second, “ To amend, and render
 “ more effectual, the Laws in being re-
 “ lative to Houses of Correction.”

The Third, “ To amend and make
 “ more effectual the Laws in being rela-
 “ tive to Rogues, Vagabonds, and other
 “ idle and disorderly Persons.”

These are made as concise as the Nature of the Business will admit, and have been much improved by the Observations and Assistance of many respectable Members, who have attended the Committees and Meetings upon them ; and from many Hints and Observations which I have been favoured with from other Gentlemen.

These Bills are chiefly adapted to Parishes and Places in the Country. Those within the Metropolis, and Bills of Mortality, may require separate Acts, or some Clauses in the others more peculiarly fitted to their Situation, and the local Circumstances attending them ; but, in most of the large Parishes, they have separate Acts of Parliament for their Rule and Direction, which renders *these* either totally unnecessary, or in a less Degree useful.

It is hoped, however, that some of the Provisions in these Bills will furnish Matter for a good Law of Police within these great Cities, which is much wanted ; and

if it could accompany these other Improvements in our Police, it would be very acceptable to the Public.

— To make these Bills more intelligible, I will state the general Objects, Scope, Design, and Practicability of each ; and point out the means of curing such of their Defects as appear to me.

It is intended, by the Notes, to shew the Alterations in the old Law, and the new Provisions which are made.

1st, With respect to the *Bill for the better Relief and Employment of the Poor.*

The first and great Object is, to have them properly employed. There are but few Workhouses in many Parts of the Country ; and those, for want of proper Governors, suitable Employment, and good Order, frequently become odious to the poor People ; and, instead of reducing, in some Places increase the Poor's Rates.

Many Country Parishes being too small to bear the Expence of a proper Governor for the Care of such a House (without which no good Effect can arise from it), the Legislature thought fit, by a Clause in an Act passed in the 9 Geo. I. c. 7. to authorise Two or more Parishes to unite for that Purpose ; but the Object of that Clause was for the Parishes to contract with

some Person to keep and employ the Poor, and take the Profits of their Labour. That Power having been grossly abused in some Places, and occasioned many Complaints, is now very rarely exercised, and therefore intended to be repealed; but the Idea of uniting Parishes, for the Sake of providing Workhouses, and easing the Expence to individual Places, has been adopted, in many Parts of this Kingdom, by Agreements formed between a Number of adjacent Parishes, to provide for the Maintenance and Employment of their Poor at a common Expence, *without farming them out.*

These Associations stand upon their particular Agreements, without any legal Foundation, and frequently without any proper Rules and Regulations to establish and enforce good Order and Government amongst them.

Workhouses are generally inhabited by all Sorts of Persons; Old, Young, Sickly, Diseased, and also the Dissolute and Profligate, and many of them without Employment. Hence arise Confusion, Disorder, and Distresses, not easily to be described.

I have long thought it a great Defect in the Management of the common Workhouses, that all Descriptions of poor Persons should be sent thither; where,
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for the most Part, they are very ill accommodated. The Clamorous and Disorderly always make Confusion; they disturb the Peace and Quiet of the Old and Infirm, and generally procure and consume the best Provisions: Therefore, in this Bill, a Method is introduced of classing the Poor, by bringing into the Poor-houses none but the Aged, Infirm, and Impotent, who are not able to maintain themselves by their Labour, but are to be employed in doing as much Work as they can.

Those who are completely able, and willing to labour, are to be hired out, where Work can be procured for them.

The Idle and Dissolute are to be kept to hard Labour in the Houses of Correction; and the Infant Poor, in their tender Years, are to be placed out with proper Persons, and under a good Inspection, till they are of sufficient Age to be placed as Servants or Apprentices. Under this Arrangement, the Buildings need not be large, or expensive; and the Poor will be better accommodated at much less Expence.

These are the general Provisions of this Bill, which do not prevent any Plans for larger Buildings, and more extensive Districts, if they should hereafter be found eligible; but provide immediate Relief

for those Parishes which stand in Need of it. This Bill establishes an Institution, in a Manner very easy and practicable, and at a moderate Expence ; prescribing Rules, Orders, and Directions for the Government of it.

It provides for hiring Houses for the Purpose, where they can be procured, for three Years certain *only*. In some Places the present Workhouses may serve for their own and some adjacent Parishes, which may contribute to the Rent of them ; in others, old Mansions, or large and useless Buildings, may be hired at small Rents, and fitted up for the Purpose ; and in others, several Houses and Buildings, standing near each other, may be hired and fitted up in like Manner.

The Bill leaves a Latitude for such of the first Class as shall be thought proper to remain in their own Habitations (if they have any), or to be placed with any Friend or Relation, at weekly Allowances, adapted to their Circumstances and Situation ; it being understood, in all these Cases, that the Persons who keep them shall have the Benefit of such Labour as they are able to perform ; and the weekly Pay to be fixed accordingly.

I think Endeavours should be used to give proper Relief to those who are innocent in their Conduct, and moderate in their

their Requests, without sending them to the Poor-house ; but the greatest Caution must be used by the Visitors, &c. in settling and superintending those Out-poor, otherwise they will open a Door to much Fraud and Imposition.

As much depends upon the good Disposition and Ability of the Overseers for the Execution of the Provisions of this Bill, it is to be lamented, that the Persons generally appointed to that Office, are so unequal to the Trust. Great Part of the Distresses of the Poor, and of the Profusion of Expence, arises from this Cause. Some of these Parish Officers are too apt to gratify themselves and their Favourites, and to neglect the more deserving Objects, in the Application of the Parish Money.

By what Means this Grievance can be most properly cured, is a Matter of great Importance, and deserves very serious Consideration. It is a Misfortune that, in some Parishes, there are no fit Persons to be found for the Purpose ; and it will be disagreeable to bring Strangers into that Office. The Expedient proposed by the Bill, is, that the Persons contributing to the Poor's Rates, may, at a Vestry Meeting, if they think fit, nominate a Person to be Guardian of the Poor, and to supply the Place of
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the Churchwardens and Overseers in all Respects, except making the Rates, collecting, and paying the Money.

With regard to a Salary, which some Gentlemen have wished to be provided, if allowed, there may be too much Partiality in the Choice ; upon which Consideration it seems best to omit it, at least in the first Year ; and that whoever is nominated, should be compelled, under a Penalty, to serve the Office for one Year. If, after that Experience, he shall be found to be very capable and attentive, he may be continued, if it be thought fit, with a Salary.

There are Provisions to restrain, under a Penalty, any Churchwarden, Overseer, Guardian, or Visitor, from selling or furnishing any Materials, Goods, or Provisions, for the Use of the Poor, in which he has any Concern in Trade, or Interest : and if these Parish Officers were to pass their Accounts four Times a Year, on Oath, before a Justice of Peace, the Parishes would be much benefited by it.

There are also Provisions for putting the Infant Children, under better Care and Inspection than they are, for the most Part, at present ; but not so ample and complete as I wish to see them.

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There are also Provisions for the sickly and infirm Poor; but those are not so effectual as they ought to be.

These are defects, for which I will suggest, what appears to me, a Remedy.

I think the Care and Preservation of the Lives of the young Children, and of their Morals, as soon as they arrive at an Age which renders them susceptible of Habits of Virtue and Vice, is of the utmost Importance, and will contribute very greatly to the Reformation so much wanted and wished; to the Happiness of the Individuals; to the promoting Industry; and to the future Diminution of the Poor's Rates.

There are also some Cases where particular Provisions are wanted for the sick, infirm, and diseased Poor.

I wish to attain these great objects as much as possible, without loading the Parishes with too great an Expence, as I hold Oeconomy essentially necessary at all Times, but more so under our present national Calamities, and the Pressure of so many heavy Taxes.

I have conceived Hopes of drawing a considerable Supply for these Purposes from the Charities which have heretofore been given in the several Parishes within this Kingdom, either to the Poor generally, or for the Support and Education
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of poor Children; or for the Establishment of Schools and Seminaries; or for the building and establishing Hospitals for the Sick and Infirm.

Many of these Charities have been concealed; some most grossly perverted; and others, from a Variety of Causes and Circumstances, are rendered incapable of taking effect; and remain in the Hands of the Occupiers of the Property, without Application or Account.

I do not mean to disturb any Charities capable of taking effect, or to pervert, or defeat, but rather to aid the kind Intention of the Donors; but I think, if Returns can be procured of all the charitable Donations, in every Parish in the Kingdom, many distressed Objects may be relieved, and made happy, who are now suffering under the severest Hardships; and the benevolent Intentions of the Donors may be gratified to their full Extent.

I have long had this in View, and presented a Bill to the House of Commons in the Year 1777, to oblige the Minister and Churchwardens of every Parish to make Returns, upon Oath, of all charitable Donations, for the Benefit of poor Persons, within their respective Parishes; which passed that House with general Approbation; but, being late in the Session,

sion, it was postponed in the House of Lords, without any public Discussion.

If an Act, to that Effect, could be obtained, it is apprehended many useful Discoveries would be made, and a considerable Fund raised ; which might, with great Propriety, be applied to establish Hospitals, Schools, and Seminaries in every County, in Aid of the Bill I am now considering, and the Purposes I have briefly mentioned: If these were to be established by Act of Parliament, with the most prudent and wise Regulations to prevent, as much as possible, every Abuse and Imposition, and to be under the Government and Inspection of the principal Gentlemen of each County, to be elected annually, in a Manner to be directed by the Act ; that Fund would probably be increased hereafter by other Donations, from humane and benevolent Persons, who may approve so excellent an Institution ; and any Deficiency may be supplied by Contributions from the Poor's Rates of such Counties, proportioned on a Medium of their Amount for a few Years preceding.

Such an Establishment, if it could be carried to a proper Extent, with the other Provisions contained in the three Bills, would render this great Plan complete.

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As the Laws about Settlements, Certificates, and Removal of Paupers, which have been the principal Source of Litigations, are now, from the great Attention of the noble Peer who so ably presides at the Head of that Court which has the Cognizance of those Matters, and the judicious Determinations which have been made upon them, well reconciled, and reduced to a great Degree of Certainty. I have therefore cautiously avoided introducing any Alterations which may be the Cause of future Disputes.

There are some Provisions in the Vagrant Bill, to prevent the Inconveniencies arising from the Certificate Laws, which I flatter myself will have a happy Effect, without altering the Law.

I think some Provisions may be introduced into this Bill, "for the Relief of the Poor," when it shall be under Consideration the next Session, for encouraging the Marriage of Persons who have been placed out by the Parishes as Servants or Apprentices, and have behaved well, by allotting to them, upon their Marriage, a small Portion of Land upon some Waste or Common within or near the Parish or Place from whence they were put out, and allowing them a Sum of Money to be employed in building Cottages, upon making an adequate Compensation to the Owners of the Soil, and

establishing proper Rules for the Conduct of such Persons, and on their paying a small annual Rent for the same after a certain Time. That Money would probably be advanced by voluntary Subscriptions from benevolent Persons, if a Plan for the Purpose was well formed and digested. This will be a great Inducement to the good Behaviour of these Persons, and contribute much to Industry, and a Reduction of the Poor's Rates.

To make this Bill more practicable in the Execution, Forms of all the necessary Proceedings are added at the End of it.

2d. With respect to the 2d Bill, *To amend, and render more effectual the Laws in being relative to Houses of Correction.*

This Bill is most essential for enforcing the Provisions in the other Two.

It is very painful to inflict or enforce Punishments, and a rigorous Execution of the Penal Laws upon our Fellow-Creatures ; but when they are well adapted, and calculated for their Reformation, the Compassion we feel for the wretched Objects themselves, alleviates that Concern ; and induces us to proceed, with unremitting Ardour, to accomplish the great Work.

Ample

Ample Provisions are made by the Statutes of the 7th of King James I. c. 4. and the 17 Geo. II. c. 5. sect. 31. for the providing, enlarging, and furnishing Houses of Correction, in every County, by the Order and under the Direction of the Justices of the Peace, at their General Quarter Sessions.

These Laws have been attended to in some Counties ; but, in general, they have been grossly neglected.

In large and populous Counties, many of these Houses will be found necessary.

There are few Counties that do not want some new ones, or their old ones enlarged, and properly accommodated, for the Reception and Employment of the Persons to be sent thither.

The Want of proper Buildings is a Defect ; but the Want of proper Government, Order, Discipline, and Employment, in those Houses, is an Evil universally felt throughout the whole Kingdom.

By the 5th of Queen Anne, c. 6. Persons convicted of Larceny and Theft, are to be committed to the House of Correction, there to be kept to *hard Labour*.— By the 17 Geo. II. c. 5. idle and disorderly Persons, Rogues, and Vagabonds, are to be sent to the House of Correction, to be kept to *hard Labour*. Besides those, there are upwards of twenty other Acts, which

which give the like Directions for Offences of various Natures, that may be seen in the Index to the Statutes at large, under Title, *Houses of Correction*.

These Houses of Correction are, for the most Part, kept by Persons who sell Ale, Wine, and Spirituous Liquors. The Prisoners are kept together, without Order, Discipline, Distinction of Sex, or Crimes, and for the most Part without Work; their Friends and Acquaintance have Access to them; and the Governor or Keeper finds his Account in supplying them with Liquors. The Purpose for which they were committed, viz. *hard Labour*, is very little regarded, as the following Instances will prove:

Returns were procured from the several Houses of Correction, pursuant to an Order made by the House of Commons, 11th April 1775, from which Returns it appears, that in thirty-nine English Counties (which were all that had made Returns) the neat Money earned by the Labour of 2717 Persons, who had been committed to the Houses of Correction, to be employed in hard Labour, in one Year, was only 123 l. 19 s. 1 d. In the present Situation of these Houses, if one Person happens to be more vicious than another, he soon corrupts the rest, and each returns Home, with a Mind more

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depraved

depraved than when he entered that Place.

The reforming these Houses of Correction, seems to be the Basis, and Foundation, of every good Regulation, which can be made, respecting the Poor ; for it is in vain to make Laws, to govern the Dissolute, and Disorderly, if they cannot be enforced.

Therefore the Provisions in this Bill are,

To direct Enquiries to be made, by the Justices of Peace, into the State and Condition of every House of Correction within their respective Limits.

To make new Buildings, and alter and enlarge the old ones, in such Manner as may best accommodate them to the Provisions contained in these Bills, and to the classing the Prisoners ; according to their Crimes and Punishments.

To make separate Apartments for the Men and Women.

To make convenient Rooms for their Employment.

To put the Governor or Master under proper Restrictions, and absolutely to prohibit his selling Ale or other Liquors.

And to fix proper Rules and Directions for employing every Person sent thither, in Work best adapted to the Purpose, and
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for the Preservation of Decency and good Order amongst them.

3d, With respect to the *Third Bill*, To amend and render more effectual the Laws in being relative to Rogues, Vagabonds, Beggars, and other idle and disorderly Persons.

This Bill is intimately connected, and will co-operate very strongly with the other two. It has for its object, the bringing the idle, profligate, and abandoned Poor, to Labour and Industry, in some lawful Employment or Occupation; by enforcing the Laws provided for that Purpose; and such Methods are directed to be pursued as tend most effectually to discover and apprehend them wherever they may be concealed. The Offences are in general the same as were described in the Statute of 17th Geo. II. but in some respects more particularly explained by this Bill.

As the Act of the 17th Geo. II. has not hitherto been strictly enforced, it seems consonant to Reason, and the Principles of Humanity, that, before the intended Bill takes place, the unhappy Persons who fall under its Lash, should be apprised of their Situation, and have an Opportunity

nity of returning *voluntarily* to their several Stations and Duties, before they meet the hard Rod of Correction, which is sure, under these new Regulations to reach them in a short Time; and as it is more agreeable to the Genius and Spirit of the Laws of this Country, to prevent Evils than to punish them, it is not doubted but his Majesty, whose Clemency and Mercy form so conspicuous a Part of his Character, will be graciously pleased to issue his royal Proclamation to pardon the Offence of *Desertion*, and some other Offences, within the Provisions of this Bill, before it passes into a Law; upon the Offenders surrendering themselves, at Times and Places to be appointed for that Purpose. Such an Act of Humanity and Benevolence cannot fail having a good Effect upon the Minds of many unhappy Persons, who are wandering about in Obscurity, and a State of Despair, and probably increasing their Guilt by new Offences.

It might bring many unnatural Fathers and Husbands back to their Families, whom they have forsaken, and exposed to Hardships, rather than gain them a Subsistence by Labour.

It might also bring many brave Soldiers and Sailors, who have deserted from their Duty, voluntarily to enter again into his Majesty's

Majesty's Service, at a time extremely critical and important, when they may render the most seasonable and signal Services to their King and Country.

There are Provisions in this Bill for Places to deposit Offenders in; for safe Custody, till they can be conveyed to a Magistrate, which will be a great Relief to the Constables, prevent many Escapes, and save Expences at Public Houses, where they are generally kept, with Guards to attend them.

There are also Provisions for notifying the Names, and Places of Abode of every Constable and Peace Officer, that Offenders may be more speedily apprehended.

The Want of General Search Warrants to remain constantly in the Hands of every Constable, and of some proper Persons to see them duly executed (Constables being generally chose by House-row, and frequently Men of very inferior Stations), and the Encouragement which is too much given to Vagrants, at the Public-houses and Lodging-houses where they resort, seem to have afforded the greatest Encouragement to that general Vagrancy which now prevails in all Parts of the Kingdom; and to have rendered the Vagrant Laws, so well calculated, of little Use. There are Clauses, therefore, introduced into this Bill, to remedy these

Evils, and to restore the Vigour of the Laws, by an effectual Execution of them.

Many Frauds have been practised in the Mode of passing Vagrants, and the Expences have, on that Account, been much increased in the several Counties through which they are sent; but Provisions are made in this Bill for correcting and preventing those Abuses.

The Poor, in many Parts of the Kingdom, suffer exceedingly for Want of Employment in those Branches of Trade to which they have been accustomed, having no Business of that Sort where they reside; and the Parish Officers refuse to give them Certificates to those Places where they can find such Work, being apprehensive they would, by granting them, bring future Burdens upon their Parishes; as, by the Laws in being, certificate Persons are restrained from gaining Settlements by any other Means than renting 10l. a Year, or executing a public annual Office.

To remedy these Inconveniencies, Provision is made by this Bill for such poor Persons to go, without Interruption, to the Places where they can procure Employment, by virtue of Testimonials, which are to be given by the Minister and Churchwarden, or Overseer. These Testimonials are not to affect their Settlements,

lements, but are to be circumscribed in respect to Distance and Time, in order to prevent a general Vagrancy ; and to be registered in the Parish Books, that it may be known where they are. Some Occupations may require a greater, others a less Extent ; some a longer, others a shorter Time ; which is left to the Discretion of the Minister and Officers ; but it is proposed, in point of Time, not to extend beyond a Year ; as it may be renewed afterwards, if found convenient. If they exceed the Bounds, or the Time allowed by the Testimonial, they are to be apprehended, and punished as Vagrants, unless they can shew just Cause for so doing.

If this Mode was to be duly observed in all Parishes, it would prevent that general Vagrancy which is the Source of most of the Evils that interrupt and distract the Police of this Country.

A Clause is inserted in this Bill, that Men or Women coming from Ireland or Scotland to work at Harvest, shall take a Testimonial of the like Import, specifying their Names, Occupations, and Places of Residence in Ireland or Scotland, from the first Parish in England which they arrive at ; and be in like Manner liable to be apprehended and punished as Vagrants, if they deviate from

the Bounds, or stay beyond the limited Time.

These will be found extremely useful in the Execution of the Vagrant Laws.

If these Bills should be so fortunate to make their Way into our Statute Books, and should bring about the Reformation intended by them, they will produce good Order, Peace, and Comfort to the Poor, and be the Means of decreasing the Poor's Rates in an immense Degree; the other Branches of the Poor Laws will be gradually going into disuse; and may, at some future Period, be collected together, repealed, or altered, as the Circumstances of Things, and the Situation of the Times, may render expedient.

These Bills have nothing new to render them exceptionable; they are grounded on the present Laws, with Alterations only tending to enforce them; and are intended to produce the happiest Effects, by bringing many idle Hands to Labour and Industry, to recruit the Army and Navy, and to increase our Trade and Agriculture.

Another good Effect may attend them (not the least, in my Opinion); they may reclaim many wicked and profligate People, and be the Means of rendering them and their Families happy; and of restoring, and, I hope, perpetuating, in-

ternal Peace, Order, and Subordination in this Country.

Persons so reclaimed may live to make Returns of Gratitude to the Legislature for such a seasonable Exertion of the Laws, which have, to the Disgrace of our Governors, been suffered to sleep so long.

Such an Exertion, whilst it restores the internal Strength and Vigour of the Kingdom, cannot fail to contribute, in some Degree at least, to the Means of procuring an End to our Misfortunes, in an honourable Peace.

Previous to the Approach of that happy Day, we should, like wise and good Citizens, be looking forward, and preparing to receive every Advantage it can bring us. Any Plans which are likely to employ our disbanded Soldiers and Sailors, who will be set at Liberty upon such an Occasion, should be previously concerted; and, if prudently done, must have a very salutary Effect.

I will suggest some, which I have long formed; and may serve to employ a considerable Number of Hands, very profitably for this Country.

I mean, *first*, by passing, in the next Session, if it shall be approved, an Act for a general Drainage of Lands in every County; on having proper Commission-
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ers appointed, to set out the Parts to be drained ; to direct Satisfaction for all Damages, by the Verdict of a Jury ; and to proportion the Expences attending it, and also of keeping the Drains open in future, according to the Benefit every Land-owner or Occupier shall receive thereby.

2dly, By passing another Act, to encourage the inclosing and planting waste or barren Lands : And as Tenants for Life, with Powers to fell Timber, are, from the present Disposition which prevails, more inclined to cut than to plant, I wish to lay a Foundation to retrieve the Misfortunes of those Families where the Possessors of the Estates may have been too busy with the Axe, by making Provisions for their Posterity, and at the same Time to secure to this Country a proper Supply of *Naval Timber*. For this Purpose, I wish the Legislature would give Powers to Tenants for Life, where the Estates are under Settlement, to borrow Money on the Credit of their Estates, by mortgaging them, with the Consent of the Trustees, for so much as may be necessary to be laid out in inclosing, planting, and fencing such Grounds ; and to oblige the Tenants for Life, and those in Succession, to pay the Interest.

These

These Works will employ a considerable Number of Hands, in different Parts of the Kingdom.

Plans may also be proposed for employing many of those disbanded Soldiers and Sailors upon the Turnpike and other public Roads, in a Manner from which this Country may derive the greatest Advantage.

I have heard it observed, that although the Plan of these Bills is confessedly a good one, yet the Justices of Peace (upon whose Shoulders the great Burden lies) will not give themselves the Trouble to execute it. This is the Language of *Sloth* and *Timidity*, which has too long prevailed, and well-nigh ruined the internal police of this country, which I am most anxious to revive. I will not judge so unfavourably of my Fellow-Justices, as to imagine, that when they see their Country at the very Brink of Destruction, they will not lend a Hand to save her, by executing a Law which is plain, easy, practicable, and promising an effectual Relief.

The Magistrates, who sacrifice their Time, and Expence too, in the Execution of the Laws of their Country, without Fee or Reward, have infinite Merit, and undoubtedly ought to be treated with very great Respect.

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It is an Office of great Trust and Importance, upon which the Well-being of this Country, in a great Measure, depends. It grieves one to see Gentlemen of Fortune and Ability, in every County, declining to act. The principal Cause alleged is, the Difficulty and Perplexity of the Laws.

I think every Endeavour should be used to make the Laws as plain and intelligible as possible; and, for that Purpose, if a Gentleman or two, educated at the Bar, were to be appointed, by some of the great judicial Officers of the Law, with suitable Salaries, to inspect all public Bills, before they are passed, during the Sessions of Parliament, and at Intervals; and, during the Recess of Parliament, to be employed in collecting and digesting the Statutes upon particular Heads, when they are numerous, in order to their being reduced into one Act, in a future Sessions; and if there should be a standing Committee appointed to superintend those Proceedings; it might be the Means of preventing many Inaccuracies in penning the new Acts, and would soon render the rest easy and intelligible.

To the same Head may be referred another Difficulty and Embarrassment attending Justices of the Peace, which I think

think ought to be prevented. They are at a great Expence in purchasing the Acts of Parliament; and Complaints are frequently brought to them, upon new Laws, before they have been able to procure the Acts.

I should hope some Means may be found to obviate this, without much Expence either to his Majesty or the Public.

These Bills, with the Observations I have made upon them, convey my Sentiments, upon a Subject the most interesting, and important to the future Welfare and Prosperity of this Country, that can possibly come before Parliament; formed, not hastily, but upon the most mature Deliberation.

I can assure the Reader, whoever he may be, high, low, rich, or poor, that I have no Purposes of my own to serve, no Views to gratify, no Expectation of Reward for my Labours, but what arises from the pleasing Reflection of my own Mind; that I have, for many Years past, devoted a great Share of my Time, not without considerable Expence, to an Object, pleasing to myself, and, I presume, not unworthy the Attention of such as have at Heart the Welfare of their Country,—*that of discovering, and endeavouring to relieve, the Distresses of many hundred*

dred Thousands of our Fellow-creatures,
who fall under the Reach of these Bills.

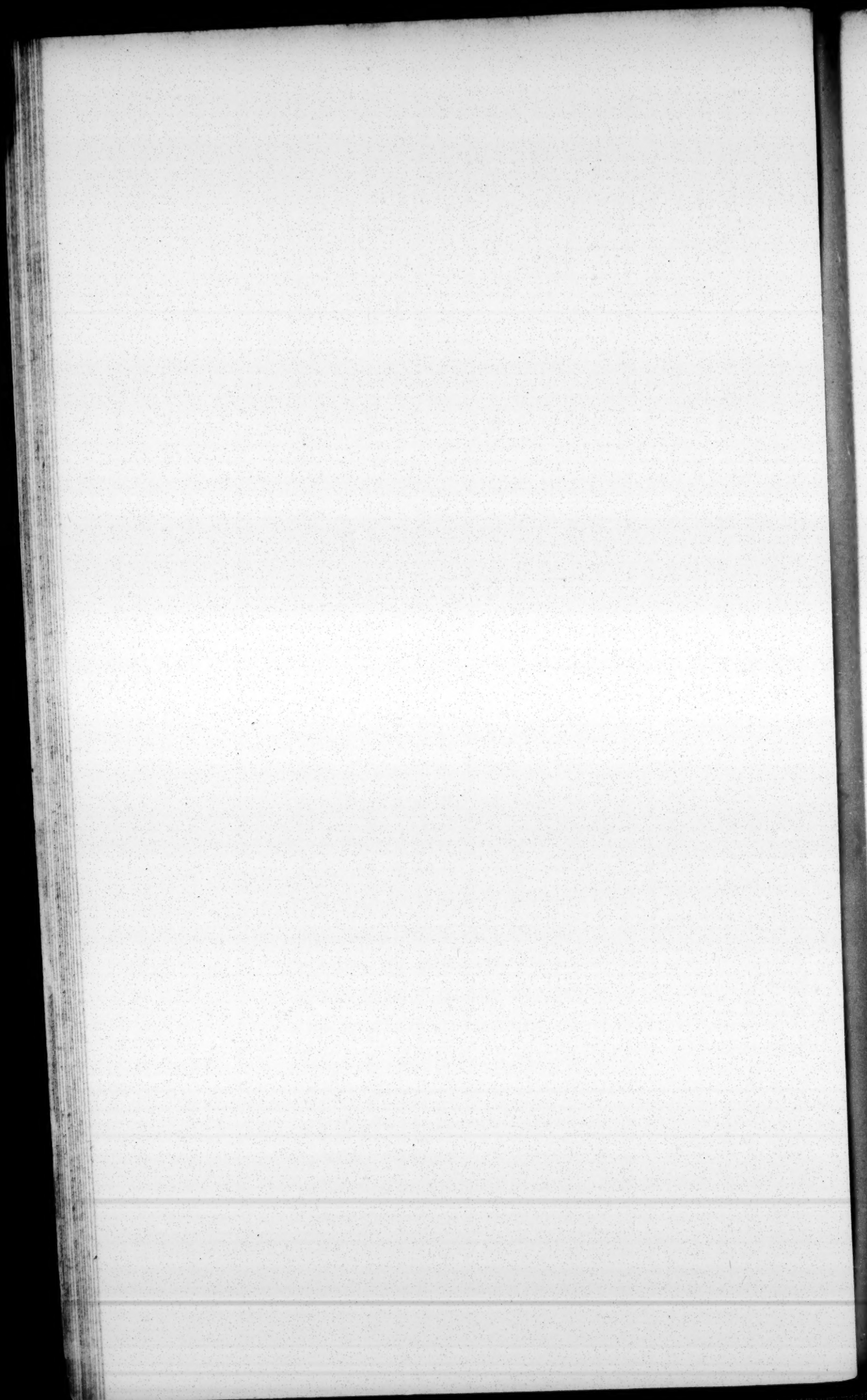
I do not pretend to represent these Bills as perfect and fit, in their present State, to be passed into Laws ; but as the Distresses of the Poor, and the Burden upon those who maintain them, are so great, and daily increasing, I could not prevail upon myself, any longer, to postpone bringing the Subject, fairly and openly, in the Shape it now is, before Parliament ; having found, after waiting many Years, that no other Gentleman was inclined to undertake it, nor any Plan proposed, for bringing forward so very essential a Work, by those who are at the Head of our public Affairs. Nor have I been deterred from steadily pursuing the Object to its present Crisis, by meeting with the Frowns, instead of receiving the Countenance, of some Persons, which, from their Situation, and the great importance of the Subject, I thought I had good Reason to expect.

The utmost of my Wishes are, that the Plan and Bills may be considered, during the Course of the Summer, by the Members of both Houses, and particularly those of the long Robe ; and also by Magistrates, and others, conversant in the Subject ; and that they may be fairly and candidly discussed the next Session, in a Manner
which

which the Magnitude of the Subject deserves.

If they should, after proper Correction and Amendments, be found admissible, it will afford me great Satisfaction ; if not, I hope they will be the Means of producing some others, better digested and adapted to the Purpose ; as my Desires are, that this necessary Service may be rendered to the Public ; not being at all anxious, from whose Hands it shall come.

THOMAS GILBERT.



A

B I L L

[INTENDED TO BE PROPOSED]

For the better Relief and Employment of the Poor.

WHEREAS by a Clause in an Act, Recital of Stat. 9 Geo. I. c. 7.
 passed in the Ninth Year of the
 Reign of his late Majesty King George the
 First, intituled, "An Act for amending the
 " Laws relating to the Settlement, Em-
 " ployment, and Relief of the Poor,"
 Power is given to the Churchwardens and
 Overseers of the Poor, in any Parish, Town-
 ship, or Place, with the Consent of the
 major Part of the Parishioners or Inha-
 bitants, at a Vestry Meeting, after due
 Notice, to purchase or hire a House or
 Houses in that Parish, Township, or
 Place, and to contract with any Person
 for the Lodging, Keeping, Maintaining,
 and Employing such Poor as shall desire
 to receive Relief or Collection from the
 D Parish,

Parish, and there to keep, maintain, and employ them, and take the Benefit of their Work, Labour, and Service for their Maintenance; and where any Parish, Town, or Township shall be too small to purchase or hire such House or Houses for the Poor of their own Parish only, Two or more such Parishes, Townships, or Places, are thereby authorised, with the Consent of the major Part of the Parishioners or Inhabitants, in a Vestry, and with the Approbation of any Justice of Peace dwelling in or near the same, signified under his Hand and Seal, to unite in purchasing, hiring, and taking such House or Houses; and Power is also given by the said Act, to the Churchwardens and Overseers of any Parish, Township, or Place, where such House or Houses shall be provided, with the Consent of the major Part of the Parishioners, at a Vestry, to contract with the Churchwardens and Overseers of the Poor of any other Parish, Township, or Place, for the Lodging, Maintaining, and Employing of any poor Person, of such other Parish, Township, or Place, as to them shall seem meet, under the like Regulations:

And whereas the Powers given by the said recited Clause, for Farming out the Poor, have been very much abused in
 2 many

many Parishes and Places, where they have been exercised; the Poor having been treated with great Cruelty and Inhumanity, by the Persons who have engaged in Contracts for maintaining them, and receiving the Profits of their Labour; and Complaints having been made thereof, that Practice is in a great Measure discontinued; but many Parishes and Places, approving the Method suggested by the said Act, have associated and formed Agreements for joining in the Expence of providing Workhouses, and giving Salaries to proper Persons to superintend them (few Parishes and Places, except in the great Towns, being able to bear that Expence alone); but not having any legal Foundation, and for Want of proper Rules, Orders, and Regulations for their Government and Direction, they are not so convenient and beneficial as they ought to be:

And whereas it is apprehended many other Parishes and Places in this Kingdom, oppressed with the Burden of their Poor, will be desirous of associating and uniting for the Purposes aforesaid, if they can be legally authorised in so doing^a:

I. To

^a It is intended to make this Bill optional to every Parish, in order to give it a fair Trial; and

I. To remedy which Inconveniencies, and to give Relief to all such Parishes as shall apply for it, Be it Enacted by the KING's Most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after

Repeal of
Clause in
9 Geo. I.

the said Clause, and every Thing therein contained, shall be, and is hereby repealed, and every Contract or Agreement made in pursuance thereof shall become and is hereby declared to be null and void; and that whenever the major Part of the Owners or Occupiers of Lands, Tenements, or Hereditaments, within any Parish, Township, or Place, qualified as hereafter mentioned, shall, at any Time after the Passing this Act, at a Vestry Meeting to be held pursuant to the Directions of this Act, signify their Approbation of the Provisions herein contained, and their Desire to adopt them; in the

Power for a
single Parish
to adopt
these Provi-
sions.

then, if it be thought expedient, the Legislature may pass an Act to extend it to all Parishes which have not a particular Act of Parliament for their Direction.

It is hoped, from the Observations which will be made upon this Plan, after it has been circulated in the Manner intended, the new Bill may be rendered infinitely more perfect.

Form

Form contained in the Schedule hereunto annexed No. 1. and procure the Consent and Approbation of a Justice of Peace, acting for that District or Division, by Writing under his Hand, in the Form contained in the said Schedule, No. 2. and shall register the same pursuant to the Direction of this Act; every such Parish, Town, or Place, shall from that Time be entitled to all the Benefits, Privileges, and Advantages, which can arise or be derived from this Act.

II. And be it further Enacted, That where the Owners or Occupiers of Lands, Tenements, or Hereditaments, within Two or more Parishes, Townships, or Places so qualified as aforesaid, shall think fit, with such Approbation as aforesaid, to unite for the Purposes of this Act, and shall signify their Inclination and Desire so to do, at a Vestry Meeting held in each of such Parishes, Townships, and Places, in the Manner herein before directed concerning a single Parish, an Agreement shall, as soon as conveniently may be, after such Vestry Meetings shall have been held, be entered into by the Churchwardens and Overseers of the Poor of every such Parish, Township, and Place, respectively, or the major Part of them, in the Form or to the Effect set forth in the Schedule hereunto an-

Power for
Two or more
Parishes or
Places to
unite for
providing
Houses, and
maintaining
and employ-
ing their
Poor.

nexed, No. 3; and every such Agreement shall specify the Place where such House or Houses shall be situate, and the Terms upon which such Agreement is made, and shall be^b entered with the Clerk of the Peace, or Town Clerk, of the County, City, Town or District, in which such Parishes, Townships, or Places shall be situate, and a Copy thereof left with him, within Three Calendar Months after the Time of making such Agreement, in the Form or to the Effect mentioned in the said Schedule, No. 4; for which Entry every such Clerk shall receive Two Shillings and Sixpence, and no more.

Notice of the
Vestry Meet-
ings.

III. And be it further Enacted, That the Notice for every Vestry Meeting directed by this Act, shall be given in the Church or Chapel of every such Parish, Township, or Place, on some Sunday before the Time of such Meeting, immediately after Divine Service, and also fixed in Writing on such Church or Chapel Door, or, if no Church or Chapel, at

^b It is necessary that the Court of Quarter-Session, which is to appoint Visitors and receive annual Returns from each of these Poor-houses, should know where they are situate, and upon what Agreements they are founded.

some public Place within any such Parish, Township, or Place, Ten Days at least before the Day to be appointed for such Meeting, in the Form or to the Effect mentioned in the said Schedule, No. 5; and that no Person shall vote at any Vestry Meeting to be held for the Purposes of this Act, unless he or she shall be the Owner or Occupier of Lands, Tenements, or Hereditaments, which shall be assessed to the Poor's Rates within such Parish, Township, or Place, at the Value of Five Pounds *per Annum* at the least.

IV. And be it further Enacted, That it shall and may be lawful for the Church-wardens and Overseers of the Poor of the said several Parishes, Townships, and Places, adopting the said Provisions, or the major Part of them, at a Meeting to be held by them, at the Time they shall sign such Agreement as aforesaid, or at any Time within Ten Days after, with the Approbation of the Justice of the Peace who shall give his Sanction to the said Agreement, to appoint some fit and proper Person to be Governor of the House or Houses so to be hired and taken for the Purposes aforesaid, and to have the Care, Management, and Employment of the poor Persons to be sent thither, and to fix the Salary or Wages to be allowed

Church-wardens and Overseers, with Consent of a Justice of Peace, to appoint a Governor of such Houses.

to such Governor ; and also, upon any Vacancy which shall afterwards happen, by the Death, Resignation, or Removal of such Governor, to appoint, at a Monthly or some special Meeting to be held at the usual Place of Meeting, as soon as conveniently may be after such Vacancy (of which Notice shall be given to the Churchwardens and Overseers of the Poor of every such Parish, Township, and Place, by One of such Churchwardens or Overseers) some other fit Person to be Governor of such Poor-house, with the Approbation of the Visitor of such House, to be nominated as hereafter mentioned ; but no Governor so appointed, or to be appointed, shall be removed, unless with the Approbation of the Visitor of such Poor-house, after having been attended by the said Churchwardens and Overseers, and having heard and considered the Matter of Complaint alledged against him.

A convenient House or Houses to be provided, with proper Accommodations.

V. And be it further Enacted, That the Churchwardens and Overseers of the Poor of the several Parishes, Townships, and Places, which shall adopt the Provisions of this Act, shall provide a suitable and convenient House or Houses, with proper Buildings and Accommodations thereto, when wanted, either by erecting new ones, altering old ones, or hiring Buildings

ings for the Purpose ; and shall fit up and dispose the same, with the Advice and Approbation of the Visitor, in such Manner as shall be most conducive to the general Purposes of this Act, at the Expence of such Parishes, Townships, and Places, in the Proportions herein mentioned, and afterwards, as soon as conveniently may be, confer together, and consult the principal Inhabitants of their respective Parishes and Townships, upon the best Means of employing the poor Persons who shall be sent to such House or Houses, and shall procure the best Information they can of the Persons intended to be sent thither from each respective Parish, Township, or Place, and shall provide such Utensils and Materials, as they shall think necessary for their Employment, according to the true Intent and Meaning of this Act ; and every such House shall be called,

**THE POOR-HOUSE
FOR RELIEF AND INDUSTRY,**

and shall have that Inscription painted upon it.

VI. And be it further Enacted, That the poor Persons who shall be sent to every such House, by virtue and under the Authority of this Act, shall be maintained therein at the general Expence of the Parishes, Townships, and Places so adopting

How the
Poor are to
be maintain-
ed and pro-
vided for.

Method proposed for settling the Accounts.

adopting the Provisions of this Act, as
aforesaid, according to the Terms and in
the Proportions directed and prescribed
by this Act; and that the Governor of
every such House, to be appointed as
aforesaid, shall provide, under the Di-
rections of the Churchwardens and Over-
seers of the Poor, or the major Part of
them, at their Monthly Meetings, all fit
and necessary Provisions for the Main-
tenance of such Poor, and keep an Ac-
count thereof; and that there shall be a
Meeting of the Churchwardens and Over-
seers of the Poor of every such Parish,
Township, and Place, at such House or
Houses, on the First Monday in every
Month, at the Hour of Ten in the Fore-
noon, to state, examine, inspect, and
adjust the Accounts for the preceding
Month; and that, at such Meeting, the
Governor of every such House or Houses
shall produce, fairly written, One Ac-
count of the Debt incurred in the pre-
ceding Month, for Utensils and Mate-
rials for the Purpose of Manufacture,
and for Furniture, Alterations, or Repairs
of the Buildings, and also for the Salary
or Allowance to the Governor; in which
Account the Rent of such House or
Houses, Buildings and Premises, if the
same shall be rented, shall be charged in
the Month next after such Rent shall
become due, according to the Terms of
the

the Agreement for taking the same; which Account, when settled and agreed to, shall be signed by the said Churchwardens and Overseers attending such Meeting, and the Sums to be paid by each of such Parishes, Townships, and Places, shall be settled and adjusted at such Meeting, in proportion to the Sums paid by each of such Parishes, Townships, and Places, on account of their Poor, on a Medium of Three Years next preceding such Agreement (to be settled and ascertained, in the Manner specified by the said Agreement, so to be entered into for uniting as aforesaid, and contained in the Schedule hereunto annexed); and the Money shall be then, or within One Week after, paid into the Hands of the Governor, or such Person as the said Churchwardens and Overseers, or the major Part of them, shall nominate; to be by him applied in Discharge of the several Articles and Debts contained in such Account; and the said Governor shall also at the same Time produce, fairly written, another Account, of the Victuals, Beer, Firing, and other necessary Provisions, for the Use and Maintenance of the Poor, and of the Governor, at such House or Houses, and all other incidental Expences; which shall be then proportioned by the said Churchwardens and Overseers, according to the Number of

Manner of
proportion-
ing the Ex-
pences.

Mode for
recovering
the Money,
in Default of
Payment.

of Persons which shall have been sent from each of the said respective Parishes, Townships, and Places, and for the Time they shall have resided in such House or Houses, within such Month; and the Sum due from each Parish, Township, or Place, shall be specified at the Foot of such Account, which shall, when settled and agreed to, be signed by such Churchwardens and Overseers, or the major Part of them; and in case Default shall be made in Payment of the respective Sums so proportioned to be paid in respect of any such Parish, Township, or Place, for Seven Days after the same shall be so settled and proportioned, and the Money demanded, it shall and may be lawful for any Justice of the Peace for the County, Riding, Division, City, or Place, where such House or Houses shall be situate, upon Complaint made to him upon Oath of such Default, to levy the said respective Sums, to be settled and proportioned as aforesaid, by Distress and Sale of the Goods and Chattels of any Churchwarden or Overseer of the Poor for any such Parish, Township, or Place making such Default.

Forfeiture
for not at-
tending the
Monthly
Meetings.

VII. And be it further Enacted, That if some One of the Churchwardens, or Overseers of the Poor, for every Parish, Township, or Place, which shall adopt the said Provision as aforesaid, shall not

attend each Monthly Meeting, hereby directed to be held, or send some substantial and reputable Inhabitant of such Parish, Township, or Place, to attend and answer the Payments for him, in case he shall be prevented by Sickness, or other unavoidable Accident, from attending in Person; each and every Churchwarden and Overseer for every such Parish, Township, and Place making such Default, shall for every such Neglect forfeit the Sum of Forty Shillings.

VIII. And be it further Enacted^c, That it shall and may be lawful for the Justices of the Peace for every County, Riding, Division, City, and Place where such House or Houses shall be provided as aforesaid, and they are hereby di-

A Justice of Peace to be appointed Visitor of the Poor-house, if inclined to accept it.

^c A Visitor to superintend each of these Houses seems essentially necessary; it may be doubtful who shall be the fittest Person for the Office.

If all the Justices of the Hundred, or Division, were to be Visitors, it probably would not be so well attended as by one only, who may consider it as his peculiar Duty: If there are more than one who live near the Poor-house, and are desirous of giving their Assistance, they may succeed each other annually; but perhaps some other proper Person, of Credit and Consequence, may be found within one of the uniting Parishes who will accept it, or who may, if it is thought fit, be compelled to take it, for a Year at least; but he should not be continued longer, without his consent: And if there is any such Person, it may be fitter that the Justices, who are otherwise fully employed, should be excused.

rected

rected, at their Michaelmas Quarter Sessions in every Year, to nominate a Justice of the Peace acting for such County, Riding, Division, City, or Place, whom in their Discretion they shall think most fit, and who will be inclined to accept the same, to visit, inspect, and superintend every such House or Houses, and settle and adjust the Accounts between the said Churchwardens and Overseers of the Poor, and also of the Governor of such House, if any Question or Dispute shall arise respecting the same; and also to settle and adjust all Doubts and Questions which may arise concerning the Objects which ought to be sent to such House or Houses, according to the Intention of this Act; and by every prudent Means in his Power to enforce and promote the Rules, Byelaws, Regulations, Directions, and Provisions, established, enacted, and formed, by and under this Act, for the better Accommodation and Relief of the Poor, and the preventing all unnecessary Burthens on the said Parishes and Places; and every such Governor is hereby required to observe and obey the Directions which he shall from Time to Time receive from such Visitor, touching the several Matters aforesaid; but if there shall be no Justice of the Peace, who shall reside within a convenient Distance of
of

of any Poor-house to be provided and established under the Authority of this Act, or if the Justice living near the same shall decline accepting the Office of Visitor; then, and in every such Case, it shall and may be lawful for the Justices, at any General Quarter Sessions of the Peace for the County, Riding, Division, City, or Place, where such House is situate, to nominate and appoint some other fit and discreet Person, of good Character and considerable Property, who shall reside in the Parish, Township, or Place, where such Poor House shall be situate, or within One of the Parishes, Townships, or Places, which shall be united thereto for the Purposes aforesaid; who shall be recommended for that Purpose by the said Churchwardens and Overseers, or the major Part of them, at such Monthly Meeting; if the Justices at such Quarter Sessions shall think him duly qualified for that Office, if not, some other Person, whom they shall judge better qualified for it, to be Visitor of such Poor-house; who shall have full Power to do every Act hereby required to be performed by a Visitor; and where any Act shall be required to be done by a Justice of the Peace, such Visitor shall apply to some neighbouring Magistrate to do the same; and every Person to be nominated or appointed Visitor as aforesaid, as an Inducement

If the Justice declines it, some other fit Person to be appointed Visitor.

Visitor to be exempt from serving Parish Offices, or upon Juries.

ducement to his undertaking and executing that Office, shall be freed and discharged from all Parochial Offices, and also from serving upon Juries at the Assizes and Quarter Sessions.

Poor Persons to be admitted by Order of the Churchwarden or Overseer.

IX. And be it further Enacted, That every Person or Persons, to be sent to any House or Houses, to be provided under the Authority of this Act, shall, at the Time of his or her entering such House, deliver, or cause to be delivered, to the Governor thereof, or to his Assistant, an Order, signed by One of the Churchwardens and Overseers of the Poor of the Parish, Township, or Place from which such Person shall come; for the Admission of such Person or Persons, in the Form or to the Effect contained in the said Schedule, No. 6; which Order shall be carefully kept by the Governor.

None to be sent to the Poor-house but the aged, sick, or infirm.

X. And, to render the Provisions of this Act more practicable and beneficial, Be it further Enacted, That no Person shall be sent to such Poor-house or Houses, except such as are become indigent by old Age, Sickness, or Infirmities, and are unable to acquire a Maintenance by their Labour.

Provision for Infant Children.

XI. And be it further Enacted, That all Infant Children of tender Years, whose Parents are dead, or unable to maintain them, shall be placed by the Churchwardens and Overseers of the Poor, with the

the Approbation of the Visitor, in Manner following; that is to say, with the Parent or Parents of such Child or Children, if living, and in a Condition to take Care of them; but if not in such Condition, or if such Parents shall be dead; then with some reputable Person or Persons in or near the Parish, Township, or Place to which they belong, at such Weekly Allowance^d as shall be agreed

^d It is necessary that these Children should be placed out at *weekly allowances*, to prevent an iniquitous Practice too common in many Parts of this Kingdom, by giving a Sum of Money, when put out, for their Maintenance to a certain Time, or as long as they shall be chargeable to the Parish; in which Cases it becomes the Interest of the Persons with whom they are placed, to starve, or by other Means, to destroy them; and we have heard of many Instances of the Cruelty and Barbarity of these Foster Parents.

As soon as the Children are able to do any Thing, the Visitor should see that they are employed in proper Work where they are kept, till they are fit to be placed out elsewhere; some as Apprentices or Servants to Gentlemen, or to Persons in Trade or Husbandry; others may be sent to the Marine Society, or as Apprentices or Volunteers on Board some of his Majesty's Ships of War.

It seems to be a Duty, incumbent on the Visitor, to be very cautious in the Choice of Masters for these poor Children, especially where Money is to be given with them; and also to extend his Inspection until the Service is completed; if the Master lives near, by his own Eye; if at a Distance, by

E

the

agreed upon between the Parish Officers and such Person or Persons, with the Approbation of the Visitor; until such Child or Children shall be of sufficient Age to be put into Service, or bound Apprentice to Husbandry, or some Trade or Occupation; and a List of the Names of every Child so placed out, and by whom and where kept, shall be given to the Visitor; who shall take the Care and Inspection of them, and see that they are properly treated, or cause them to be removed, and placed under the Care of some other Person or Persons, if he finds just Cause so to do; and when every such Child shall attain such Age, he or she shall be so placed out, at the Expence of the Parish, Township, or Place to which he or she shall belong, according to the Laws in being.

Idle and disorderly Persons, able, but unwilling to work.

XII. And be it further Enacted, That all idle or disorderly Persons^e, who are able,

the Means of some other proper Person; as we often hear of the cruel Treatment of Masters to their Apprentices and Servants, when put out by Parishes. Those who place these poor Children out, are but too apt to conclude that their Trust is at an end, whenever they are removed out of their Hands.

^e In the Act of 17 Geo. II. c. 5. the Words are *Idle and Disorderly* Persons; from which it has been apprehended the Offenders cannot be punished, unless

able, but unwilling, to work and maintain themselves and their Families, shall be prosecuted by the Churchwardens and Overseers of the Poor of the several Parishes, Townships, and Places, to which they belong, and punished in such Manner as directed by the several Statutes made in the Seventeenth Year of the Reign of his late Majesty King George the Second, and in this present Session of Parliament; and if any Churchwarden or Overseer of the Poor shall neglect to make Complaint thereof, against every such Person or Persons, to some neighbouring Justice of the Peace, within Ten Days after it shall come to his Knowledge, he shall, for every such Neglect, forfeit a Sum not exceeding Five Pounds, nor less than Twenty Shillings; One Moiety whereof, when recovered, shall be paid to the Informer, and the other Moiety to be disposed of as the other Forfeitures are hereinafter directed to be applied.

Penalty on Parish Officers neglecting to prosecute them.

XIII. And be it further Enacted, That where there shall be, in any Parish, Township, or Place, any poor Person or Persons who shall be able and willing to

Persons able, and willing to work, but cannot get Employment.

less proved to have been guilty of both Offences, and many have escaped on that Account. By this Bill the Word *or* is introduced in the Place of *and*, in order to take in both Descriptions.

work, but who cannot get Employment, it shall and may be lawful for the Churchwardens and Overseers of the Poor of such Parish, Township, or Place, and they are hereby required, on Application made to them, to contract for the Labour of such poor Person or Persons, with the Approbation of the Visitor, at any Work or Employment suited to his or her Strength and Capacity, in any Parish, Township, or Place near the Place of his or her Residence; and to maintain, or cause such Person or Persons to be properly maintained, lodged, and provided for, until such Employment shall be procured; and during the Time of such Work; and to receive the Money to be earned by such Work or Labour, and apply it in such Maintenance, as far as the same will go, and make up the Deficiency, if any; and if the same shall happen to exceed the Money expended in such Maintenance, to account for the Surplus, which shall afterwards, at the End of Three Calendar Months, be given to such poor Person or Persons who shall have earned such Money, if no further Expences shall be then incurred on his or her Account to exhaust the same; and in case such poor Person or Persons shall refuse to work, or run away from such Work or Employment, Complaint shall be made thereof by the respective

Persons refusing to work, or running away from their Employment.

respective Churchwarden or Overseer, or by the Visitor, if not a Justice, to some Justice or Justices of the Peace in or near the Parish or Place to which such poor Person or Persons belong, who shall enquire into the same upon Oath, and punish such Offender or Offenders, by committing him, her, or them to the House of Correction, there to be kept to hard Labour for any Time not exceeding Twelve Calendar Months, nor less than Three Calendar Months, if he finds just Cause so to do.

XIV. And be it further Enacted, That if the Churchwardens and Overseers of the Poor for any Parish, Township, or Place, and adopting the Provisions of this Act as aforesaid, shall not provide suitable and necessary Cloathing for the Persons sent by them to such Poor-house as aforesaid, the Governor of every such House shall make Complaint thereof to the Justice of the Peace who shall be appointed Visitor to such House or Houses as aforesaid, or to some other neighbouring Justice of the Peace, who shall summon One of such Churchwardens and Overseers to appear before him to answer the said Complaint, and direct him to provide such Cloathing as shall to such Justice appear necessary; and if such Churchwarden or Overseer shall make Default in providing such Cloathing,

Punishment
of Parish
Officers, for
neglecting to
cloath the
Poor.

within Ten Days after such Direction, it shall and may be lawful for such Justice of the Peace to direct the Governor of such Poor-house to provide the same, and to demand from such Churchwarden or Overseer the Charges and Expences of such Cloathing; and in Default of Payment thereof, upon Demand made, it shall and may be lawful for such Justice or Justices of the Peace to levy the same, and the Costs and Charges attending the Recovery thereof, by Distress and Sale of the Goods and Chattels of every such Churchwarden and Overseer so making Default.

Rules, Bye-laws, and Regulations to be established.

XV. And be it further Enacted, That the Rules, Orders, Bye-Laws, and Regulations specified and contained in the Schedule hereunto annexed, shall be duly observed and enforced at every Poor-house already provided, or hereafter to be provided, by virtue of this Act; subject, nevertheless, to such Additions, Variations, and Alterations, as shall be made by the Justices of the Peace for the County, Riding, Division, City, or Place wherein such House or Houses shall be situate, at their *Midsummer* or *Michaelmas Quarter Sessions*^f; and for the Purpose of having them

^f As it is requisite there should be a full Bench of Justices, when these Powers are executed, the
Midsummer

them more generally known, and more strictly attended to, the Governors of every such House or Houses shall, and are hereby required to cause the same to be printed in plain legible Characters, and fixed up in some conspicuous Part of every such House or Houses.

XVI. And be it further Enacted, That all the Houses, Buildings, and Lands to be hired or contracted for, under the Authority of this Act, shall be hired for Three Years certain^s, with an Option in the Churchwardens and Overseers of the Poor of the said Parishes, Townships, and Places, to continue them for Three Years longer if they shall think fit, and

Houses and
Buildings,
&c. to be
hired for
Three Years
only.

Midsummer and Michaelmas Quarter Sessions are named, when there is generally the greatest Attendance; those being held during the Recess of Parliament.

^s If any Parishes consider themselves as perfectly complete in their own System and Management of the Poor, they will have no Occasion for the Provisions of this Bill; but, if they think otherwise, they may adopt them, without much Expence, or Inconveniency, as they will, under this Clause, be at Liberty to withdraw at the End of three Years, and receive a due Proportion of the Value of the Furniture, &c. but it is apprehended, few Parishes which engage in it, will be induced to change the Plan; for if, upon Trial, there shall appear any unforeseen Inconveniencies or Defects in the Provisions, they may be corrected and regulated, in any future Sessions of Parliament.

so for the like further Term at the End of every Three Years; and the Churchwardens and Overseers of every such Parish, Township, and Place so uniting as aforesaid, shall be at Liberty to withdraw themselves from such Agreement at the End of the First Three Years, or any of the said succeeding Three Years, if it shall be so determined by Two-thirds of the Persons qualified to vote, at a Vestry Meeting summoned by due Notice as aforesaid, specifying the Occasion of such Meeting; and in such Case they shall receive their due Proportion of the Value of the Furniture, Stock, Utensils, and Implements then remaining at such Poor-house, to be settled upon a just and fair Valuation; and all the said Houses, Buildings, and Lands shall be free from all Parochial and Parliamentary Taxes, during the Time they shall be occupied for the Purposes aforesaid.

An annual
Account of
the Proceed-
ings at each
Poor-house
to be trans-
mitted to the
Quarter
Sessions.

XVII. And be it further Enacted^h,
That the Governor of every such Poor-
house

^h It is fit the Justices, at their Quarter Sessions, should see the Rise and Progress of these Poor-houses, and the Defects, if any, in the Method of conducting them; the Returns or Extracts required by this Clause may be laid before Parliament, when-
ever called for; and the Justices, at their Quarter
Sessions, may point out to their Representatives
any

house shall, within One Week before the Michaelmas Quarter Sessions of the Peace for the County, Riding, Division, City, or Place where such Poor-house shall be situate, in every Year, make out a just and fair Account of the Expences attending the same, distinguishing them under the Two several Heads herein before specified; and also an Account of the Number of poor Persons which shall be contained in every such House at the Time of making out such Account, and how they have been employed, and how much Money hath been earned by the Labour of the Poor in the Year preceding; which Account shall be laid before the Visitor of the said House, for his Inspection, and Approbation, which shall be signified under his Hand and Seal, if he approves the same; and shall afterwards be transmitted to the Clerk of the Peace, or Town Clerk, of such County, Riding, Division, City, or Place, before or at the Time of the said Quarter Sessions, and be by him laid before the Court there, for their Inspection.

any Errors or Defects which they may observe, in order that this Plan may, hereafter, be rendered complete.

Persons under certain Descriptions, may be sent to the County, or other Infirmaries.

XVIII. And be it further Enactedⁱ, That if it shall at any Time be the Opinion of the Visitor, the Churchwardens and Overseers of the Poor, or the major Part of them, assembled at their Monthly Meeting, and of the Surgeon or Apothecary whom they shall think fit to consult, and he shall certify under his Hand, that any Person sent to such House or Houses is afflicted with any severe or chronical Disease, which may require a Length of Time and some extraordinary Assistance of a Physician or Surgeon for the Cure, every such Person shall be sent, at the Expence of the Parish, Township, or Place to which he or she belongs, to the Infirmary of the County, Riding, Division, City, or Town where such Poor-

ⁱ As Oeconomy is considered in every Part of this Plan, the Provisions in this Clause are introduced as affording a better, and more effectual Relief to the Patient, and a cheaper Method for the Parishes (where the Infirmaries happen to be situate within a reasonable Distance) than employing Surgeons or Apothecaries in the particular Cases alluded to by the Clause; and it is hoped, from these Considerations, the Trustees and Governors, and the Gentlemen of the Faculty, who attend the Infirmaries, will excuse it. Whenever Hospitals can be provided, in the Manner suggested in the Plan before mentioned, this Clause will become unnecessary.

house is situate; if there shall be any such there, and if not, to the Infirmary of some other County, Riding, Division, City, or Town, lying nearest to such House or Houses, in case an Agreement shall have been previously made between the Governors, Directors, or Trustees of such respective Infirmaries, and the Justice of Peace who shall be Visitor of such House, or, if no Justice of the Peace shall be Visitor thereof, by some Justice of the Peace of the Division or District where such Poor-house shall be situate, for the Admission of such poor Object into the said Infirmary; and in that Case, every such poor Object shall be received into such Infirmary, on producing a Letter, to be signed by the Visitor of such House or Houses, in the Form or to the Effect contained in the said Schedule, No. 7, and shall be attended with due Care in such Infirmary; and that in all Cases where any poor Person shall be sent to any such Infirmary, pursuant to the Agreement and Directions aforesaid, an Account shall be kept by the Governor of every such House, and also by the Treasurer of every such Infirmary, of the Number of Patients so sent, and the Time they shall be respectively kept there; and at Michaelmas in every Year there shall be paid, by the Churchwardens or Overseers

feers of the Poor of the Parish, Township, or Place to which the poor Person so sent to the Infirmary shall belong, to the Treasurer of every such Infirmary, a proper and full Compensation for the Charges and Expences attending every Person so sent thither, during the Time of his or her Continuance there, according to the Terms of the Agreement to be so made as aforesaid; and in case any Difference or Dispute shall arise in settling and ascertaining the same, it shall be referred to Two Persons; One to be nominated by the Treasurer of such Infirmary, and the other by the Justice of the Peace who shall be appointed Visitor to such House or Houses as aforesaid; or, if no Justice of Peace shall be so appointed, by some Justice of Peace acting for the Division or District where such Poor-house shall be situate; and all other extraordinary Expences of Physic or Surgery, beyond the common Provisions of the House, which shall be occasioned by any Person sent to such Poor-house, during the Time he or she shall remain there, and the Expences of the Burial of any Person who shall die in any such House or Infirmary, shall be paid by the Churchwardens or Overseers of the Poor of the Parish, Township, or Place to which such Person belongs, upon Demand,

mand, after the same shall be settled and ascertained by the said Churchwardens and Overseers, at a Monthly Meeting; and in Default of Payment thereof, the same shall be recovered, by Warrant from a Justice of the Peace, in Manner aforesaid.

XIX. And whereas, by the said Act of the 9th of King George the First, Directions are given touching the Application to be made by poor Persons, and the Manner in which they are to be relieved by Orders from Justices of the Peace; but, from a Want of proper Descriptions of the Poor who are to be the Objects of such Relief, from a Want of proper Accommodations in many Parishes, Townships, and Places, and from a Want of the Means of enforcing the Orders of the Justices for such Relief, the said Act hath^k not had its proper Effect, and the Poor have been frequently reduced to Hardships and Distresses: For Remedy whereof, Be it further enacted, That it shall and may be lawful for any Justice of the Peace, on

How Poor Persons are to be relieved, by Orders from Justices of Peace.

^k This Clause enforces, and much enlarges the Provisions in the Statutes of 3 William and Mary, c. 11. 8 and 9 William III. c. 30. and 9 Geo. I. c. 7. and inflicts a Penalty on the Parish Officers who disobey the Orders of the Justices.

Complaint made upon Oath, by or on the Behalf of any poor Person, belonging to any Parish, Township, or Place having a Poor-house, or uniting in the providing of a Poor-house, under the Authority of this Act, that the Churchwardens and Overseers of the Poor, upon Application made to them, have refused such poor Person proper Relief, to summon such Churchwardens and Overseers, or One of them, to appear before him, to shew Cause why such Relief was not given; and upon full Enquiry into the Condition and Circumstance of such Poor Person; either to order him or her some Weekly Relief, or direct such Churchwarden or Overseer to send such poor Person to the Poor-house, if he or she shall appear a fit Object to be kept and and provided for there, according to the true Intent and Construction of this Act (and every Person receiving Weekly Relief, shall wear the Badge directed by the Act made in the Eighth and Ninth Years of the Reign of King William the Third, unless directed otherwise by a Justice of Peace, upon Proof of very decent and orderly Behaviour); or if it shall appear to such Justice, that the Person so complaining, or on whose Behalf such Complaint is made, is able and willing to work; but wants Employment; in that Case it shall and may be lawful for such Justice to

order the Churchwarden or Overseer of the Poor to procure him or her Maintenance and Employment, upon the best Terms he can, with some reputable Person or Persons, in or near the Place of such poor Person's Residence; according to the Provisions and Directions of this Act; and to find or allow such Person a sufficient Maintenance until such Employment can be procured; and if any Churchwarden or Overseer shall, upon due Notice of any such Order, refuse to obey the same, he shall for every such Refusal and Neglect forfeit the Sum of Five Pounds; or if it shall appear to such Justice that the Person making such Complaint, or on whose Behalf such Complaint is made, is an idle or disorderly Person, and has not used proper Means to get Employment, it shall and may be lawful for the Justice, after examining such Person, and hearing the whole Circumstances of the Case, to commit such Person to the House of Correction, there to be kept to hard Labour for any Time not exceeding Twelve Calendar Months, nor less than Three Calendar Months; or, if it shall appear to such Justice, upon Enquiry as aforesaid, that the Husband or Father of such Person making Complaint, or on whose Behalf Complaint shall be so made, for want of Relief, is an idle or disorderly Person, able to work,

Punishment of Parish Officers, for disobeying the Orders of Justices.

Idle or disorderly Persons, making Complaints, to be punished.

Husbands
and Parents
refusing to
work for the
Maintenance
of their Fa-
milies, to be
punished.

Casual Poor,
under Afflic-
tion or Dis-
tress, to be
relieved and
provided for.

work, but by his Neglect of Work, or for want of seeking Employment, or by spending the Money he earns in Ale-houses, or Places of bad Repute, is rendered unable to maintain his Wife or Children, and suffers them to be reduced to Want, it shall and may be lawful for such Justice of the Peace in like Manner to *commit* the Husband of such poor Woman, or the Father of such poor Child or Children, to *the House of Correction*, in Manner and for the Time aforesaid.

XX. And whereas it frequently happens, that poor Persons travelling out of the Places of their Settlement, are visited with severe Sickness¹, and, not having the Means of Subsistence, are exposed to great Hardships from the Want of proper Care and Relief: For Remedy whereof, Be it further Enacted, That if any poor Person shall be retarded, on his or her Passage through any Parish, Township, or Place in which he or she has no legal Settlement, by reason of his or her being afflicted with any dangerous Sickness or bodily Infirmary, without the Means of

¹ This Clause was introduced, to prevent the Cruelty which Parish Officers have been guilty of, by suffering poor Persons, oppressed with Sickness and Infirmities, to lie in the Streets, or Highways without affording them any Relief, for Fear of bringing a Burden upon their Parishes.

Subsistence,

Subsistence, or of proceeding to the Place of his or her Settlement, it shall and may be lawful for any Person or Persons to convey such poor Person to the House of some Churchwarden or Overseer of the Poor living near the Place where such distressed Object shall be, who is hereby required to receive and provide suitable Nourishment (and Cloathing if necessary) for such Person, until he or she can be removed with Safety; and, so soon as such Person shall be in a State of Health fit to be removed, shall take such Person to some neighbouring Justice of the Peace of the County, Riding, Division, City, or Place where such Person was found, who shall examine him or her upon Oath, touching the Place of his or her Settlement, and make an Order for his or her Removal thither, if he thinks fit; and the Parish Officer who shall so receive and provide for such Person or Persons as aforesaid, shall make a Charge of the Expences attending the same, and likewise of the Expences of burying such poor Person, if he or she shall happen to die there, which, on being allowed and certified by the Justice before whom such poor Person shall be so taken, or some other neighbouring Justice, within the Limit where such Person was found, the same shall be paid

F by

How the Charges are to be ascertained and paid.

by the Churchwarden or Overseer of the Poor of the Parish, Township, or Place where such poor Person shall be settled, in case the same can be discovered, on Demand made thereof, and on the Production of such Allowance and Certificate as aforesaid; or, in Default of Payment, the same shall be *levied* upon the Goods and Chattels of any such Churchwarden or Overseer so making Default, after due Summons, by Warrant from a Justice of Peace having Jurisdiction there; but in case the Settlement of such poor Person cannot be discovered, the same shall be paid by the Treasurer of such County, Riding, Division, City, or Place, on the Production of such Allowance and Certificate, out of the County or Public Money to be collected within his Limits, and allowed to such Treasurer in his Accounts.

This Act not to affect the Settlement of any Person, or to alter the Provisions of any Act passed for particular Towns or Places.

XXII. And be it further Enacted, That nothing herein contained shall extend, or be construed to extend, to alter or affect the Settlement of any Person or Persons whomsoever, or to alter or affect any of the Provisions, Directions, Rules, Orders, or Regulations, established by any Act or Acts of Parliament for the Management and Government of any particular House of Industry or Workhouse, in any Part of this Kingdom;
 † any

any Thing herein contained to the contrary thereof in anywise notwithstanding.

XXIII. And be it further Enacted, Punishment for poor Persons who shall embezzle or take away Goods from the Poor-house. That if any poor Person, who shall be sent to such House or Houses, shall embezzle or waste any of the Goods or Materials committed to his or her Care, or shall take or carry away, without Permission of the Governor, any Goods or Materials provided for the Use of such House, or belonging to any Person residing there; Complaint shall be made thereof upon Oath to the visiting Justice, or some other Justice of Peace living near such House; who shall hear the same, and the Party accused; and such Justice is hereby authorised to commit such Offender to the House of Correction, there to be whipped, or kept to hard Labour for any Time not exceeding Twelve Calendar Months, nor less than Three Calendar Months, as the said Justice shall think fit.

XXIV. And whereas it frequently happens¹, that poor Children, pregnant Punishment of Parish Officers, or other Persons, who remove poor distressed Objects without legal Order. Women,

¹ The Provisions in this Clause are much wanted; the cruel Practices complained of are frequent, and arise from the Motives observed in Clause 19. They deserve a severe Punishment; but as the Proceedings by Indictment are tedious, and expensive to the Prosecutor, it is not doubted, but this by

Women, or poor Persons afflicted with Sickness, or some bodily Infirmary, are taken or conveyed by Parish Officers, or other Persons, from one Parish or Place to another, without any legal Order of Removal, in order to ease the one Parish or Place, and to burthen the other, with such poor Persons : For Remedy whereof, Be it further Enacted, That when any Person or Persons shall so remove, or cause or procure to be so removed, any such poor Person or Persons from one Parish or Place to another, without an Order from Justices of the Peace for that Purpose, every Person or Persons so offending shall, for every such Offence, forfeit a Sum not exceeding Twenty Pounds, nor less than Five Pounds.

Power for the Inhabitants of any Parish to substitute a Guardian to take Care of the Poor in the Place of the Churchwardens and Overseers.

XXV. And be it further Enacted, That it shall and may be lawful for the Owners or Occupiers of Lands, Tenements, or Hereditaments, within any

Penalty, to be inflicted in a summary Way, will have the desired Effect, and deter the Practice.

Some Clauses in this Bill, not particularly observed upon in these Notes, are included in the general Observations; and others, being only to regulate and enforce this Plan respecting the Poor-houses, without making any Alteration in the present Laws, concerning any other Parishes or Places, are unnecessary to be taken Notice of in these Observations.

Parish, Township, or Place which shall adopt the Provisions of this Act, qualified as aforesaid, or the major Part of them, at a Vestry Meeting to be held (after due Notice given of the Occasion of such Meeting) in the Manner aforesaid, to nominate an able and discreet Person, within such Parish, Township, or Place, to attend the Monthly Meetings herein before directed, and transact, in that and all other Respects, the Business imposed by this Act upon the Churchwardens and Overseers of the Poor of every such Parish, Township, or Place; which Person, so to be nominated and appointed, shall be called the Guardian of the Poor, and shall have, and is hereby invested with, all the Powers and Authorities given by this Act, or by any other Act or Acts of Parliament now in being, to the Churchwardens and Overseers of the Poor; and shall be liable to such Forfeitures and Penalties, for Neglect of Duty, as Churchwardens and Overseers of the Poor are made liable by this or any other Act of Parliament; which Guardian, so nominated, shall be appointed to that Office by a Justice of Peace, in the Form contained in the aforesaid Schedule, No. 8. or to that or the like Effect, for One Year; and shall forfeit the Sum of Five Pounds, if he de-

clines, without just Cause, to accept and execute the same ; and if just Cause shall be shewn against such Appointment, the Justice shall forthwith appoint some other fit and proper Person to that Office, who shall incur the like Penalty for refusing to accept it ; and the said Guardian shall be continued, or another appointed in like Manner, annually in Easter Week, for every such Parish, Township, or Place ; and if such Guardian, after a Year's Probation in that Office, shall be approved by Two or more Justices acting for the Division or District where such Parish, Township, or Place shall be situate, and it shall be the Desire of the Persons contributing to the Poor's Rates, qualified as aforesaid, signified at a Vestry Meeting, that he shall continue in that Office, and he shall consent thereto ; then, and in every such Case, the Justices shall again appoint such Person to the said Office, and so from Year to Year, as long as such Agreement shall be made ; and that it shall and may be lawful, after such first Year, for the Justices, in their Appointment, to insert such Salary for the said Guardian as shall be agreed upon at such Vestry Meeting, if they approve thereof ; which shall be paid out of the Poor's Rates ; and all Notices or Applications directed by this or any other Act of Parliament to be
given

given or made to the Churchwardens and Overseers of the Poor, shall be given and made to such Guardian of the Poor; and in case such Guardian of the Poor be appointed, the Churchwardens and Overseers within such Parish, Township, or Place, shall not interfere or intermeddle in the Care and Management of the Poor, in any other Respect than by making the Poor's Rates, and collecting the Money from the Persons liable to pay the same; and so much of such Money as shall be applicable to the Relief of the Poor, shall be retained in the Hands of One of the Churchwardens or Overseers, who shall, at such respective Vestry Meetings, be nominated for that Purpose to be the Treasurer; and the Person so to be appointed Guardian of the Poor, shall from Time to Time draw Drafts, in the Form or to the Effect contained in the said Schedule, No. 9. upon such Treasurer, for the Payment of all Bills, and the necessary Expences attending such House or Houses, and the Poor belonging to the said Parishes, Townships, or Places so united; expressing in every such Draft the Purposes for which such Money is wanted; which Treasurer shall pay the same upon Demand; and the Treasurer's Accounts shall be inspected and examined at every Monthly Meeting, and shall be

If a Guardian be appointed, one of the Churchwardens or Overseers to be Treasurer.

examined and passed Quarterly by the Churchwardens, Overseers, and Guardians (if any), at the said House or Houses, at their Monthly Meetings, after they shall have been verified upon Oath before a Justice of Peace; and the Balance in the Treasurer's Hands, in case he shall not be continued in that Office, shall be paid to his Successor in Three Days after he shall be nominated.

XXVI. And be it further Enacted, That if any Visitor, Guardian, Churchwarden, or Overseer, shall sell or furnish any Materials, Goods, Clothes, Victuals, or Provisions, or do any Work in his Trade, for the Use of any Workhouse, Poor-house, or poor Persons within any Parish, Township, or Place for which he shall be so appointed to act, or be concerned in Trade or Interest with any Person or Persons who shall sell, provide, do, or furnish the same, he shall, for every such Offence, forfeit a Sum not exceeding Five Pounds, nor less than Fifty Shillings, on being duly convicted thereof by a Justice of Peace.

Penalties
how to be
recovered.

XXVII. And be it further Enacted, That all Penalties inflicted by this Act shall, in Default of Payment, after due Summons and Demand made, be levied by Distress and Sale of the Offender's Goods and Chattels, by virtue of a War-
rant

rant under the Hand and Seal of any Justice of the Peace having Jurisdiction where such Offender shall dwell, rendering to the said Offender the Overplus (if any), after the Charges of such Distress and Sale shall be deducted; and in case sufficient Distress shall not be found, then, and in every such Case, it shall and may be lawful to and for any such Justice of the Peace to commit such Offender to the Common Gaol or House of Correction, there to remain without Bail or Mainprize, for any Space not exceeding Six Calendar Months, nor less than One Calendar Month; and that every such Penalty and Forfeiture, if not hereby otherwise directed to be disposed of, shall be paid to the Governor of every such House or Houses, to be applied by him towards defraying the Monthly Expences of Victuals, Beer, Firing, and other necessary Provisions for the Poor within such House or Houses.

XXVIII. And be it further Enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

SCHEDULE,

SCHEDULE,

Containing the Forms of Proceedings referred to by the aforesaid Act.

No. I.

FORM OF AGREEMENT, at a Vestry Meeting, for a single Parish or Township to adopt the Provisions, Rules, and Regulations of an Act made in the Year of Geo. III.

IT is agreed, at a Vestry Meeting duly held this Day of at in the County of pursuant to the Directions of the said Act, that the Parish (or Township of as the Case shall be) shall from henceforth adopt, in all Respects, the Provisions, Rules, Orders, and Regulations, and comply with all the Requisites prescribed by the said Act, and that our Workhouse (if there is one) shall be

be immediately fitted up and accommodated for the Purposes mentioned in the said Act; (if there is none) we will forthwith provide a proper Workhouse, either by erecting a new one, or hiring, altering, and fitting up Buildings suitable to the Purpose, at some convenient Place within our Parish. Given under our Hands, &c.

No. 2.

FORM of CONSENT and APPROBATION of the Justice.

I A. B. Esquire, one of his Majesty's Justices of the Peace for the County of _____ residing and acting within the Hundred, &c. of _____ (as the Case shall be), within the said County, considering the Parish, Township, &c. of _____ within the said Hundred, &c. to be of Magnitude sufficient to have a Workhouse provided within it, for the Reception and Employment of the aged, infirm, and impotent Poor, within the true Intent and Meaning of an Act, "For the better Relief and Employment of the Poor," passed in the _____ Year of the Reign of King Geo. III. do hereby give

give my Approbation and Consent there-
to, pursuant to the Directions of the said
Act. Given under my Hand, this
Day of

No. 3.

FORM of AGREEMENT between the
Parishioners of the Parishes (or
Townships, as the Case shall be)
of A. B. C. and D. for uniting
in hiring a House or Houses, and
providing for the Maintenance
and Employment of a certain
Description of Poor, pursuant to
the Statute of the
of Geo. III.

IT is agreed, this Day of
 17 by and between the
Churchwardens and Overseers of the Poor
of the Parishes of and
 and of the Townships
of and
in the County of (which
maintain their own Poor, separate and
distinct from the other Parts of their re-
spective Parishes) whose Names are here-
unto

unto subscribed, pursuant to the Opinion of the major Part of the Parishioners and Inhabitants paying to the Poor's Levies, within such respective Parishes and Townships, at Vestry Meetings duly held for that Purpose, according to the Direction of the said Act, and with the Approbation of A. B. a Justice of the Peace dwelling near the same, That the said respective Parishes and Townships shall, for the better maintaining and employing their Poor, be united, by virtue of the Statute made in the

Year of the Reign of his present Majesty ; and that a proper and convenient House or Houses, with convenient Land for Gardens, Orchards, and the keeping of a Cow or Cows, shall be built, purchased, or hired (as the Case shall be), at or near for the Reception and Accommodation of the said Poor, as soon as conveniently may be ; and if hired, the same shall be hired for Three Years certain, with an Option in the Churchwardens and Overseers of the said Parishes and Townships, to continue them for Three Years longer, if they shall think fit, and so for the like further Term at the End of every Three Years : And such Houses shall be fitted up, and made convenient for the Purposes aforementioned, at the Expence of (the Landlords or Tenants,

Tenants, as shall be agreed between them); that the Rents of the said Houses, the Expences of fitting up, making Additions or Alterations (where they shall be agreed to be paid by the Tenant) and the Furniture thereof, and also the Utensils and Materials to be used for the Purpose of employing the Poor, and the Wages and Allowances to be paid to the Governor to be appointed to the Care and Management of the Houses, shall be paid by the said several Churchwardens and Overseers, in their due Proportions, according to the Amount of the Money raised by their Poor's Rates, in respect of their Poor, on a Medium of Three Years preceding such Agreement; and that such Proportion shall be ascertained by
and whom
we have nominated for that Purpose; and that the Money earned by the Labour of such Poor shall be brought to the Credit of that Account at the End of every Year; that the Expences of Victuals, Beer, and Firing for the Poor and the Governor (and Assistants, when any shall be found necessary) in every such House or Houses, with all other small incidental Expences, shall be proportioned, at the End of every Month, according to the Number of Poor which shall be sent from each of the said respective Parishes, Townships, and
Places,

Places, and for the Time they shall have resided there within such Month ; that the Churchwardens and Overseers of the Poor of any of the said Parishes, Townships, or Places, shall be at Liberty to withdraw from this Agreement at the End of the First, or any succeeding Three Years, if it shall be so determined by Two-third Parts of the Inhabitants and Parishioners paying to the Poor's Rates, and qualified as aforesaid, at a Vestry Meeting summoned by due Notice as aforesaid, specifying the Occasion of such Meeting ; and in such Case they shall receive their due Proportion, to be ascertained as aforesaid, of the Value of the Furniture, Stock, Utensils, and Implements, then remaining at such Poor House, to be settled upon a just and fair Valuation ; that the Churchwardens and Overseers of the Poor of each Parish, Township, and Place, shall provide suitable and convenient Cloathing for the Poor sent to the said House or Houses, and charge the Expences thereof in their Accounts : And we do further agree, that the several Rules, Bye Laws, and Regulations, made or authorised by the said Acts, or either of them, shall be fully and completely executed and enforced at the said House or Houses.

No. 4.

FORM of ENTRY to be made by the
Clerk of the Peace or Town
Clerk.

BE it remembered, That on the
Day of A. B.
deposited in my Hands a Copy of the
Agreement made between the Church-
wardens and Overseers of the Poor of the
Parishes or Townships of
and (as the Case shall be)
in the County of for
uniting in hiring Houses, at or near
in the said County, and
providing for the Maintenance and Em-
ployment of a certain Description of poor
Persons belonging to the said Parishes,
Townships, and Places, pursuant to the
Statute made in the
Year of
the Reign of his present Majesty.

No. 5.

FORM of a NOTICE for the Meeting.

NOTICE is hereby given, That a Vestry Meeting, to consult the Parishioners about hiring, purchasing, or building (as the Case shall be) a House or Houses, and providing for the Maintenance and Employment of the Poor, pursuant to the Statute of

of George the
Third, will be held at
the Day of at
in the Forenoon.

No. 6.

FORM of ORDER for Admission of Paupers.

To the Governor of the Poor-house at E.

YOU are hereby ordered and required to receive A. B. [Describe his or her Age, and whether married or single] a poor Person belonging to the Parish or Township (as the Case shall be) of in the County of D.
G into

into the Poor-house at E. and to accom-
modate and provide for such Person in a
proper Manner, according to the Rules
and Establishment of the said House.
Given under my Hand this Day
of 17

H. G. Overseer,
or Churchwarden (as the Case shall be):

No. 7.

FORM of a LETTER requesting the
Admission of a poor Person into
the Infirmary.

To the Treasurer of the Infirmary at

S I R,

HAVING been appointed, by the
Court of Quarter Sessions for the
County, Riding, Division, City, &c.
(as the Case shall be) of Vi-
sitor of the Poor-house provided for the
Maintenance and Employment of poor
Persons at in the said County,
&c. pursuant to the Directions of the Sta-
tute made in the Year of the
Reign of his present Majesty King George
the Third, I do hereby recommend A. B.
afflicted with as a fit
Object

Object to be received into your Infirmary,
for his Relief and Cure, pursuant to the
Power given to me by the said Act.

Dated this Day of 17
A. B.

N. B. A Certificate from the Church-
wardens and Overseers of the Poor
of the Parish, Township, or Place
to which such Person belongs, in the
common Form of Certificates, and
attested by Two Justices of the Peace,
shall be delivered with the above
Letter.

No. 8.

FORM of APPOINTMENT of a
Guardian.

WE A. B. and C. D. Two of his
Majesty's Justices of Peace for
the County of acting for
the Hundred, &c. of in the
said County, do hereby appoint E. H. of
to execute the Office of
Guardian of the Poor for the Parish, &c.
of within the said Hun-
dred, &c. for One Year, to be computed
from to which he has been
1801 G 2 elected

elected at a Vestry Meeting, held the
 Day of pursuant
 to the Directions of the Act passed in
 the Year of the Reign of his
 Majesty King George the Third, for
 the better Relief and Employment of the
 Poor (in the Cases where a Salary is to be
 allowed, insert the following Words).
 And we do hereby direct that he shall re-
 ceive for his Trouble the Sum of
 which was agreed at the said Vef-
 try to be allowed him, and which we
 think a reasonable Sum. Given under
 our Hands this Day of

No. 9.

FORM of a DRAFT by the Guardian
 on the Treasurer.

To A. B. Treasurer for the Poor (of the
 Parish or Township of as
 the Case shall be).

YOU are hereby authorised and di-
 rected to pay to C. D. the Sum of
 for [Here describe the
 Occasion of the Payment, whether for
 House Rent, Provisions, Goods, Uten-
 sils, Cloathing, or for Weekly Relief of
 poor

poor Persons, &c. &c. as the Case shall be], and take his Receipt for the same, which will be your Discharge for such Payment. Dated this Day of

17

E. H.

Guardian of the Poor for the (Parish
or Township) aforesaid.

**RULES, ORDERS, BYE-LAWS, and
REGULATIONS,** to be observed
and enforced at every Poor-
House to be provided and esta-
blished under the Authority of
the Act of the of
 Year of King George
the Third.

1. **T**HAT the several Persons who
shall be sent to any such Poor-
house, who are capable of doing any
Work, shall be employed by the Go-
vernor in some Labour which may be
best suited to their Strength and Capacity.

2. That the Governor shall take par-
ticular Care to keep the said House, and
the several Apartments therein, and also

the several Persons who shall inhabit the same, clean and wholesome; and, for that Purpose, he shall employ such of the said poor Persons who shall be sent thither, whom he shall think most able and best qualified for the Offices, to assist him therein, and also in the providing and dressing Victuals for the Use of such poor Persons.

3. That the Governor shall, at the Hour of in Winter, and the Hour of in Summer, call together the several Persons who shall reside in such House or Houses, and are able to attend, by a Bell, or some other proper Means, and shall read to them, in a distinct Manner, and with an audible Voice, in case no Clergyman shall be procured to attend that Duty, Prayers selected from the Liturgy of the Church of England, to be approved by the Minister of the Parish or Place where every such House shall be situate; which Prayers shall be written or printed in a Book to be provided by the Churchwardens and Overseers.

4. That the Apartments in the House or Houses to be provided as aforesaid, shall be adapted so as to accommodate the Poor, who shall be sent thither in the best Manner they are capable.—That the Governor shall place in the best Apartments,

ments, such poor Persons who, having been creditable Housekeepers, are reduced by Misfortune; in Preference to those who are become poor by Vice and Idleness; and that separate Apartments shall be provided, for the Reception of the sick and distempered Poor, and an Apothecary or Surgeon to be sent for to attend them, when there shall appear Necessity for it; at the Expence of the Parish or Place to which such poor Persons belong.

5. That such poor Persons who are able to work, shall be called up, by Ring of Bell, and set to work by in the Morning from Lady-day to Michaelmas, and by from Michaelmas to Lady-day; and continue until in the Afternoon, from Michaelmas to Lady-day, and from Lady-day to Michaelmas till in the Afternoon (Meal Times and Times for reasonable Recreation excepted); and if any such poor Person shall refuse or neglect to do such Work as shall be allotted him or her, or wilfully spoil the same, or depart from such House without Leave from the Governor, or shall be guilty of any Disorder or Disobedience to these Rules and Orders, the Governor shall reprove such Person for the same, and punish him or her by Confinement or Alteration of Diet, as the

faid Governor shall think fit ; and if such Person shall be guilty of the like Offence a Second Time, the Governor shall complain thereof to the Visitor of such House, who is hereby authoris'd to order the Punishment to be increased to such Degree as he shall think fit.

6. That the Governor shall enter in a Book to be kept by him, an Account of the Household Goods, Linen, Furniture, and Utensils provided for the said House ; and also an Account of the Materials bought for Manufacture, and of the Goods manufactured there ; which shall be laid before the Churchwardens and Overseers at their Monthly Meeting, and before the Visitor whenever he comes to such House.

7. That the Governor shall visit the several Persons maintained in such House or Houses, and their Apartments, Once at least in every Day ; and shall take care that there is no Waste of Fire, Candles, or Provisions ; and shall see that the Fires and Candles are put out at the Hours fixed for such Persons going to Bed, which shall be between Michaelmas and Lady-day, and between Lady-day and Michaelmas.—And that if any Irregularity or Disorder shall be committed by any such poor Person, the Governor shall complain thereof to the Visitor

fit of fuch Houfe, who is hereby authorised to adjust and regulate the fame in fuch Manner as he fhall think fit, and to order the Offender to be punished by Confinement, or Alteration of Diet, as he fhall judge moft proper.

8. That when any Perfon fhall die in the Houfe, the Governor fhall take care that fuch Perfon is decently buried ; and alfo take care of the Clothes and Goods of fuch Perfon, and deliver them to the Churchwarden or Overfeer of the Poor of the Parifh or Place to which fuch Perfon did belong, who is to pay the Charges of the Funeral of fuch poor Perfon.

9. That no Perfon be permitted to come into fuch Houfe or Houfes, except the Perfons maintained and employed there, without the Permission of the Governor ; and that no Spirituous Liquors be permitted to be drank in fuch Houfe or Houfes ; and that no other Liquors fhall be brought thither, without the Permission of the Governor.

10. That the Rules, Orders, and By-laws, fhall be publicly read by the Governor, to all the poor Perfons kept in fuch Houfe or Houfes, Once, at leaft, in every Three Months.

11. That all the poor Perfons able to go to Church, fhall go to the Church or Chapel

Chapel of the Parish or Place where such
Poor-house is situate, and attend Divine
Service there every Sunday in the Morn-
ing and Afternoon.

A

B I L L

[INTENDED TO BE PROPOSED]

For amending and rendering more effectual, the Laws in being relative to Houses of Correction.

WHEREAS, by an Act made in Preamble,
the Seventh Year of the Reign reciting Act
of his late Majesty King James the First, 7 James I.
for the due Execution of divers Laws
and Statutes theretofore made against
Rogues, Vagabonds, and Sturdy Beg-
gars, and other lewd and idle Persons,
Houses of Correction are directed to be
provided in every County, and furnish-
ed with all necessary Mills, and other
Implements, to set the Rogues, Vaga-
bonds, and Sturdy Beggars, and other
idle and disorderly Persons, to work, at
the Expence of every such County, by
order of the Justices of the Peace at their
General Quarter Sessions; who are also
to appoint a Governor or Master of every
such

such House of Correction, with Power to set the said Persons on work :

17 Geo. II.

And whereas, by an Act made in the Seventeenth Year of the Reign of his late Majesty King George the Second, to amend and make more effectual the Laws relating to Rogues, Vagabonds, and other idle and disorderly Persons, and to the Houses of Correction, the Justices are authorized, upon Presentment by the Grand Jury at the Assizes, that the House of Correction is not sufficient, or properly convenient, by Order at their General Quarter Sessions of the Peace, to enlarge, or buy or hire a more convenient House, or to purchase Land for such Buildings, and for a convenient Outlet, and to erect such Houses, and to raise upon the County such Sums of Money as shall be necessary for those Purposes :

And whereas, by many other Acts of Parliament, Persons are directed to be sent, by Warrants from Justices of the Peace, to the Houses of Correction, there to be kept to hard Labour for a limited Time:

And whereas, in many Counties, the said Houses of Correction are insufficient in Number, or deficient in Building, and the Apartments in them are very ill accommodated to the Purposes for which

they were intended ; by Means whereof, and from a Want of due Order, Regularity, and Discipline in such Houses of Correction, the Persons sent thither for Correction and Reformation frequently grow more dissolute and abandoned during their Continuance in such Houses.

I. For Remedy whereof, Be it Enacted by the KING's Most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same ; That the Justices of the Peace, in every County, Riding, Division, City, Liberty, and Precinct, within England and Wales, at their respective Quarter Sessions of the Peace to be held next after Midsummer from the Time of passing this Act, shall, and they are hereby required to nominate One or more Justice or Justices of the Peace, within their respective Jurisdictions, whom they shall think most proper, to examine and inspect the several Houses of Correction within their respective Jurisdictions; and the Justice or Justices so to be nominated is and are hereby required carefully and diligently to inspect the same, with all convenient Speed, and to report his or their Opinion to the Justices of their respective Jurisdictions, at the Michaelmas Quarter Sessions

Quarter Session to nominate Justices, who are to inspect the Houses of Correction.

To procure
Plans and
Estimates of
Buildings,
&c.

sions then next following, as to the State and Condition thereof, and the Increase of Number, or Additions or Alterations which they may judge necessary, to make them more convenient and useful, having Regard to the classing of the several Persons who shall be kept there; according to the Nature of their Crimes, and Punishments; and to the providing proper Places for the Employment of such Persons who are committed for hard Labour; and to the keeping every Part of such Prisons clean and wholesome; and the said Justices so to be nominated, are hereby required to employ proper and skilful Workmen to make Plans and Estimates of new Buildings, or the Additions or Alterations which they shall think necessary in the present Buildings, to make them answer the several Purposes of this Act; which Plans, together with the Report of the said Justice or Justices, shall be laid before the Court, at the said Michaelmas Quarter Sessions; which Court is hereby authorized and required to consider the same, and, if they approve such Plans, to adjourn the Quarter Sessions to a further Day, for receiving Proposals from Persons inclined to undertake such Work, of which due Notice shall be published, and then to contract with such Persons whom they shall

shall think most proper to do the same, or, if they disapprove such Plans or Estimates, to direct such others to be made as they shall think fit, and adjourn their Quarter Sessions to some further Day, to receive such new Plans and Estimates, and also Proposals from Persons inclined to undertake the Work: And the Justices, in settling and adjusting such Plans, are hereby required to provide separate Apartments, for all Persons committed upon Charges of Felony, or convicted of any Theft or Larceny, and committed to the House of Correction for Punishment by hard Labour, under or by virtue of the Laws in being, in order to prevent any Communication between them and the other Prisoners; and also proper Apartments, covered or open, as shall be found most convenient, for employing the several Persons who are to be kept to hard Labour; and they are also to provide separate Apartments, in each Division of the said House of Correction, for the Women who shall be committed thither.

Court of
Quarter Ses-
sions to make
Contracts.

II. And be it further Enacted, That as soon as such Buildings shall be made, or altered, and completed, according to the Directions aforesaid, the Justices of the Peace, at their General Quarter Sessions, shall order them to be fitted up and furnished

Quarter Ses-
sion to order
them to be
fitted up and
furnished.

nished

To receive a
List of Per-
sons in Cuf-
tody.

nished in such Manner as to them shall seem fit; and shall also provide such Mills, Looms, Utenfils, and Implements, as they shall judge proper, for employing the several Persons who shall be committed to such Houses of Correction for hard Labour; and the said Justices shall, at every General Quarter Sessions of the Peace, call upon the Keeper of such House of Correction, to produce to them in Writing a List of the several Persons then in Custody, with a Description of the Offence or Offences, and the Time for which every such Person was committed, distinguishing particularly those who are directed by the Warrant of Commitment to be kept to hard Labour, and also distinguishing the Age and Sex of every such Person committed to hard Labour, and in what Trade, Manufacture, or Business, every such Person hath been employed, and what he or she hath been most accustomed to, and is best qualified for, and how each Person has behaved during his or her Confinement, according to the best of his Information and Observation; which List the Keeper of every such House of Correction, is hereby directed to make out and deliver to the Chairman of such Court of Quarter Sessions, as soon as such Court shall be assembled; and the Court shall, before
the

the End of that Session, give such Directions for the future Employment of the said several Prisoners, as to them shall seem meet; and the Justices shall, at their General Quarter Session of the Peace, from Time to Time, order and direct a sufficient Quantity of Materials for Manufactures; to be provided for the Use and Employment of the several Persons who shall be committed to such Houses of Correction, for hard Labour, of such Kinds, as they in their Discretion shall think most proper, and shall employ some fit Person to be the Keeper of such House of Correction, and may appoint a temporary Assistant, to instruct such Prisoners in any Business, or Branch of Manufacture, which the Justices shall think most proper to be set on Foot, and undertaken there.

To direct
their Em-
ployment.

To provide
Materials.

III. And be it further Enacted, That the Rules, Orders, and Regulations specified and contained in the Schedule hereunto annexed, for the better Rule and Government of the Persons to be committed to the said Houses of Correction, shall be duly observed and enforced at every such House of Correction; subject nevertheless to such Additions, Variations, and Alterations, as shall from Time to Time be made by the Justices of the Peace for the County, Riding, Division, City,

Rules and
Orders may
be varied by
Court of
Quarter
Sessions.

H

Town,

Town, or Place, wherein such House of Correction shall be situate; at their Quarter Sessions which shall be held next after Midsummer or Michaelmas, and which they are hereby authorised to make at their Discretion; and for the Purpose of having them more generally known, and more strictly attended to, the Governors or Keepers of every such House of Correction shall, and they are hereby required, to cause the same to be printed in plain legible Characters, and fixed up in some conspicuous Part of every such Prison.

Expences to
be raised and
collected as
the County
Rates are.

IV. And, in order to defray the Expences of the several Matters and Things herein before directed to be done, respecting Houses of Correction, and other Expences necessary to the Execution of this Act; not herein particularly provided for, Be it further Enacted, That the Justices of the Peace, at their General Quarter Sessions, may and shall cause such Sums of Money, as shall be necessary for all or any of those Purposes, to be raised in the same Manner as Rates are directed to be raised by an Act, made in the Twelfth Year of the Reign of his late Majesty King George the Second, intituled, "An Act for the more easy assessing, collecting, and levying of County Rates."

FH



V. And

V. And be it further Enacted, That from and after the passing of this Act, the Want of Houses of Correction, or the Insufficiency thereof, may be presented to the Court of Quarter Sessions, by a Justice of the Peace acting for such Division or District, on his own View or Knowledge thereof; as well as by the Grand Jury, pursuant to the Directions of the said Act of the Seventeenth Year of the Reign of his late Majesty.

VI. And be it further Enacted, That it shall and may be lawful for the Governor or Keeper of every House of Correction; and he is hereby directed, to employ all such Persons as shall be Prisoners therein, and kept and maintained at the Expence of the County, Division, or District wherein such House of Correction is situate, in some Work or Labour which is not severe; although such Prisoner was not, by the Justice's Warrant, committed to be kept to Labour; and every such Governor or Keeper shall enter a separate Account, of the Work done by every Person under that Description, and shall account with, and pay to him or her, One Half of the neat Money which he or she shall earn.

VII. And be it further Enacted, That no Person or Persons, who shall be Governor or Keeper of any House of Correction, shall sell Wine, Ale, &c.

rection, or who shall have any Office or Employment, as Assistant or otherwise, under such Governor or Keeper of such House of Correction, shall sell, or be capable of being licensed to sell, or have any Benefit or Advantage whatsoever, directly or indirectly, from the Sale of any Wine, Ale, Beer, Spirituous or other Liquors, during the Time of such Employment ; and every Person offending therein shall, on Complaint made upon Oath, and Conviction for the said Offence, before a Magistrate having Jurisdiction there, forfeit the Sum of Ten Pounds, and shall be dismissed from his Employment as Governor or Keeper, or as Assistant in such House of Correction ; by Order of the Justices, at their next General Quarter Sessions of the Peace, on Proof being made upon Oath before them of the said Offence ; and that no Wine, Ale, Spirituous or other Liquors, shall be brought into the House of Correction, to be drank there, without the Permission of the Governor or Keeper thereof ; and that the Directions given by the said last-mentioned Act, for the Inspection and Controul, by the Justices, over the Master or Keeper of every such House of Correction, shall be strictly adhered to and enforced ; and every such Governor and Keeper punished for his Neglect

Neglect of Duty, or Misbehaviour, according to the Directions of the said Act.

VIII. And be it further Enacted, That the Justices of the Peace, in their respective Quarter Sessions, when they fix the Salary for the Governor or Keeper of the House of Correction, shall, and are hereby required to estimate and allow a Part of such Salary to be paid by some Proportion of the neat Profit to be earned by the Prisoners confined in such House of Correction, from their Work and Labour.

Part of Governor's Salary to arise from the Profits on Labour.

IX. And be it further Enacted, That the Justices of the Peace, in their General Quarter Sessions, shall, and are hereby required to provide, in every such House of Correction as aforesaid, some separate Rooms or Cells, of small Dimensions, for the Reception, Punishment, and Reformation of the more reprobate and disorderly Persons who shall be committed thither; and that the Persons who shall be confined in such Cells shall be kept apart from others.

Cells for Reformation of the more reprobate.

X. And be it further Enacted^a, That the Justices of the Peace, at their Michaelmas

Some Justice to be appointed Visitor.

^a The Magistrates who undertake the Office of Visitors, will have great Merit; and they will find it a very important Part of their Duty to give the necessary Directions to the Governor, to separate

chaelmas Quarter Sessions in every Year, shall appoint One or more Justice or Justices, residing within the Limit where every such House of Correction shall be situate, to be the Visitor or Visitors thereof; who shall inspect the same as often as it shall be necessary, in order to see that the Persons committed thither are properly employed, and the Rules and Orders duly observed and enforced; and shall give such Directions, as he or they shall find necessary for that Purpose; and also make a Report of the State and Condition in which he or they find the same, from Time to Time, to the Justices of the Peace at their General Quarter Sessions; and that, from and after the passing of this Act, no Woman shall be capable of being appointed Governor or Keeper of any House of Correction.

A Minister
may be ap-
pointed for
reading
Prayers.

XI. And be it further Enacted, That the Justices of the Peace, at their General Quarter Sessions, may, if they think fit, appoint a Minister of the Church of England, residing in or near the Place where every such House of Correction shall be situate, to perform Divine Ser-

and employ the Prisoners in a proper Manner, according to the Intention and Direction of the Act; and also to see that those Directions are duly observed.

vice

vice there, every Sunday, and may appoint such Salary for his Trouble, as they shall think fit, not exceeding Twenty Pounds *per Annum*, to be paid by the Treasurer of the County, Riding, Division, or Place where such House shall be situate, out of the County Rates, or other Public Money to be collected therein; and the Governor or Keeper of every such House of Correction shall, and is hereby required to call the Prisoners together, by Bell, or otherwise, into some convenient Room within the said Prison, at some convenient Hour, in every Day whereon no such Minister shall attend, and then and there read to them in a distinct manner, and with an audible voice, Prayers selected from the Liturgy of the Church of England, to be approved by the Minister of the Parish or Place, where every such House of Correction shall be situate; which Prayers shall be written or printed in a Book to be provided by the Treasurer of the County, Division, or District, wherein such House of Correction shall be.

XII. And be it further Enacted, That this Act shall be deemed, adjudged, and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without the same being specially pleaded.

RULES, ORDERS, and REGULATIONS, to be observed and enforced at every House of Correction provided and established, or to be provided and established, under the Authority of the Acts of the Seventh Year of the Reign of his late Majesty King James the First, the Seventeenth of King George the Second, and the of King George the Third.

1. **T**HAT the several Persons who shall be committed to the House of Correction to be kept to hard Labour, shall be employed, unless prevented by ill Health, every Day during their Confinement, except Sundays, Christmas Day, and Good Friday, for so many Hours as the Day-light in the different Seasons of the Year will admit, being allowed to rest Half an Hour at Breakfast, an Hour at Dinner, and Half an Hour at Supper; and that the Intervals shall be noticed by the Ringing of a Bell,

2. That

2. That the Governor of each House of Correction shall adapt the various Employments, which shall be directed by the Justices at their Quarter Sessions, to each Person, in such Manner as shall be best suited to his or her Strength and Ability, Regard being had to Age and Sex.

3. That the Males and Females shall be employed, and shall also eat, and be lodged, in separate Apartments, and shall have no Intercourse, or Communication with each other.

4. That every Person so committed, shall be sustained with Bread, and any coarse, but wholesome Food, and Water or Small Beer.

5. That the Governor, and such other Persons (if any) as shall be employed by the Justices to assist the Governor; shall be very watchful and attentive, in seeing that the Persons so committed, are constantly employed, during the Hours of Work; and if any Person shall be found remiss or negligent in performing what is required to be done by such Person, to the best of his or her Power and Ability, or shall waste, spoil, or damage the Goods committed to his or her Care, the Governor shall punish every such Person in the Manner hereafter directed.

6. That

6. That if any Person so committed shall refuse to obey the Orders given by the Governor, or shall be guilty of profane Cursing or Swearing, or of any indecent Behaviour or Expression, or of any Assault, Quarrel, or abusive Words, to or with any other Person, he or she shall be punished for the same in the Manner hereafter directed.

7. That the Governor, by the Direction of the Visiting Justice, shall have Power to punish the several Offenders, for the Offences herein before described, by closer Confinement, moderate Whipping, or Alteration of Diet; in such Manner as to him shall seem just, and best adapted to the Nature of the Offence; and shall enter in a Book, to be kept by him for the Inspection of the Justices at the Quarter Sessions, and the Visiting Justice, the Name of every Person who shall be so punished by him, expressing the Offence, and the Punishment inflicted.

A

B I L L

[INTENDED TO BE PROPOSED]

For amending, and rendering more effectual, the several Laws in being relative to Rogues, Vagabonds, Beggars, and other idle and disorderly Persons.

WHEREAS, by an Act passed in the Seventeenth Year of the Reign of his late Majesty King George the Second, intituled, "An Act to amend, " and make more effectual, the Laws " relating to Rogues, Vagabonds, and " other idle and disorderly Persons, and " to Houses of Correction," certain Offences are therein described, and many Provisions are made for apprehending and punishing the said Rogues, Vagabonds, and other idle and disorderly Persons, and common Beggars, which have not had their due Effect, as but few of such
Persons

Persons are apprehended, and many of them infest the Streets and Highways in divers Parts of the Kingdom :

And whereas many idle or disorderly Persons, unlawfully depart from the Employments and Occupations in which they were engaged, and, by committing Acts of Vagrancy, become Rogues and Vagabonds, within the Meaning of the said Act ; and many Persons, who have been removed by Passes, frequently wander about after such Removal, and return to the Parishes or Places from which they were so removed, without any Order or legal Authority for so doing ; and become Rogues and Vagabonds ; and many notorious Offenders against the Laws of this Country, frequently fly from Justice, and conceal themselves in divers Parts of this Kingdom, begging or extorting Money from the People ; committing Acts of Vagrancy, and becoming Rogues and Vagabonds within the Intent and Construction of the said Act ; by means of which Practices many Acts of Rapine, and Violence are committed, to the great Terror and Annoyance of his Majesty's Subjects, and the Disturbance of the public Peace :

Justices to
issue War-
rants to the
particular
Constables.

I. For Remedy whereof, and in order to enforce and render the said Act more effectual, and to discover and bring such

Offenders to Justice, Be it Enacted by the KING's Most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same ^a, That it shall and may be lawful for the Justices of the Peace. within their respective Limits and Jurisdictions, on or before the Twenty-ninth Day of September next after the passing of this Act,

^a By the 17th Geo. II. c. 5. Sect. 6. the Justices were to issue their Warrants, for privy Searches, to the Constables of the Hundred, Parishes, &c. within their Divisions, four Times in every Year; and at such other Times, as, they should receive Information of Vagabonds being within their Jurisdiction. These Warrants have generally been directed to the High Constables, who have issued their Precepts to the inferior Constables, which weakens the Authority, and very little has been done under them. The Warrants issued at other Times, have seldom had the good Effects intended; as Magistrates, in many Places, live at a great Distance, and may happen not to be at Home when the Complaint comes; by which Means the Offenders frequently escape Punishment; but, by placing these Warrants in the Hands of the Constable, or special Constable, of the particular Township, and letting them remain till the next Quarterly Warrant is issued, the Offenders will be seized as soon as they appear, and few will escape. It will be proper for the Justices to name some Person or Persons of respectable Character, for these special Constables, in whose Hands the Warrants may be safely lodged; if the Constable himself happens not to be of that Description.

and

Apprehend-
ing Rogues,
Vagabonds,
&c.

Special Con-
stables to be
added.

To Cause
Examina-
tions affect-
ing particu-
lar Property
to be printed,

and at Three other Times within that Year, and Once in every succeeding Quarter, and they are hereby required to issue their Warrants, in the Form or to the Effect contained in the Schedule hereunto annexed, to the particular Constables, or other Peace Officers of every Parish, Township, or Place within such Limits, instead of issuing them to the High Constables only, as hath been the usual Practice in many Places; and continue them in their Hands from Time to Time, for the discovering and apprehending of all Rogues and Vagabonds, and Persons described as such, by this and the said recited Act; and the said Justices shall, and are hereby required, in every such Warrant, to add some Person or Persons in whom they can place Confidence, as Special Constables, to assist the common Peace Officers, in the Execution thereof, and shall take the Examinations of the said several Persons who shall be apprehended by virtue of such Warrants, and such Information and Evidence as shall be given against, or in favour of, them, upon Oath; and proceed in such Manner as directed by the said Act; except where the same shall be varied or altered by this Act; and the Justices shall cause such of the said Examinations, and Informations as affect any Person or Persons; whom they

they shall have just Cause to suspect, to have run away from their Wives or Children^b; or to have deserted, and run away from his Majesty's Service, either as Soldiers or Mariners; or to have been guilty of any Felony, Robbery, or other atrocious Crime, to be printed, and transmitted by the First Post (free of the Duty of Postage), together with the best Description they can collect and give, of the Size, Complexion, and Age of every such Person so suspected, to such Public Offices or Places, in London, Westminster, and other Parts of this Kingdom, as shall be appointed, and directed by One of his Majesty's Principal Secretaries of State, the Lord High Admiral or Commissioners of the Admiralty, or the Secretary at War for the Time being, and notified by them to the Clerk of the Peace, or Town Clerk of every County, Riding, Division, City, Town, or Place holding Courts of Quarter Sessions within this Kingdom; and every such Clerk of the Peace or Town Clerk is hereby directed, after he shall have received such Notice, forthwith to communicate the same in Writing to every Justice of the Peace acting within such Limit.

and transmitted to certain Public Offices.

^b This Provision is new, and will probably tend to many useful Discoveries.

Reward of
Ten Shillings
for apprehending,
to be divided
between
Justices,
Clerks, and
Constables.

II. And be it further Enacted, That the Reward of Ten Shillings, which by the said Act is directed to be paid to the Constable^c or other Person for apprehending every Rogue and Vagabond thereby described, shall be paid and distributed, by Order of the Justice or Justices before whom such Person or Persons hereinbefore described shall be taken, in the Proportions following; (that is to say) One Moiety thereof to the Clerk or Clerks of such Justices; for their Trouble and Expences in taking, printing, and transmitting such Examinations, and Informations, in Manner hereinbefore directed; and the other Moiety thereof amongst the Constables, Special Constables, and the Persons who shall be employed to assist them, upon that Occasion, in such Proportions as the said Justice or Justices shall direct.

Cages, or
Lock-up-
Houses, to
be provided
in Market
Towns, and
other convenient
Places,

III. And be it further Enacted, That, in order to facilitate the Execution^d of this

^c If this Reward should be thought too small, it may be increased at the County Expence.

^d This is also a new Provision to facilitate the Execution of the Law. The Expence of providing and maintaining those Houses, and the Persons sent thither, will, it is apprehended, be paid out of the 5s. to be deposited for every Beggar, and the Proportion of the Penalties; but, if it should not, the Town or Parish, it is not doubted, will chearfully

this Act, it shall and may be lawful for the Justices of the Peace, within their respective Limits and Jurisdictions, and they are hereby required to provide, or cause to be provided, in every Market Town, and also in such other Towns or Places as they shall judge proper; within their respective Jurisdictions, where no convenient Place for that Purpose shall be already provided; a Building well secured by Locks and Bolts, commonly called or known by the Name of a Cage or Lock-up-house, for the Reception and safe Custody of the Persons hereinafter described, and other Offenders; until they can be conveyed to a Magistrate, in order to be examined, and sent to the House of Correction; if they shall be found proper Objects to be punished there; or otherwise to be disposed of as the Law directs; and the Expences of building, providing, renting, or hiring every such House or Place, for safe Custody, shall be paid by the Constable of such Town or Place; who shall be reimbursed his Expences on that Occasion, by the Overseer of the Poor of such Parish or Town, out of the Assessment to be made

for the safe
Custody of
Rogues, Va-
gabonds, &c.

cheerfully bear the rest; as it will be of great Use in preserving Peace and good Order within the Place; and a just Account is to be made of the Money, by Clause VII.

for the Relief, and Employment of the Poor within the same; and the Constable of every such Market Town, or other Town, or Place, shall have the Care and Management thereof, and of the Persons who shall be committed thither as aforesaid; and shall take out, every such Person who shall be brought thither, and proceed to convey him or her before some neighbouring Justice of the Peace, having Jurisdiction where the Offence was committed, within Twenty-four Hours, after he or she shall have been so secured; who, after examining the Party accused, and hearing the Evidence, for and against him or her, shall either acquit, or send every such Person to the House of Correction; or otherwise dispose of him or her, as to such Justice of the Peace shall seem just, and agreeable to the Directions given by this and the said recited Act; and every such Constable shall provide necessary Food and Refreshment, for the Persons so put under his Care, during the Time they shall continue in such House, or Place for safe Custody, or be so conveyed as aforesaid.

Beggars to
be taken up
by Constables,

IV. And be it further Enacted, That if any Constable^e, Headborough, or other Peace

^e By 17th Geo. II. if any other Person, than a Constable apprehended a Beggar, he was to take him

Peace Officer, shall see any poor Person begging, or asking Alms or Charity, from Door to Door; or in any Street or Highway, it shall and may be lawful for every such Constable, Headborough, or other Peace Officer, and he is hereby required, to apprehend every such Person, and convey him or her immediately to some Justice of the Peace, if any Justice shall reside near the Place where such Person shall be apprehended; if not, to the nearest House or Place for safe Custody which shall be appointed, and provided by the Justices of the Peace, pursuant to the Directions aforesaid; where every such Person shall be received, and shall remain in Custody, till he or she can be conveyed to some Justice of the Peace to be examined, and punished as herein directed; and if any Person or Persons, not being a Constable or Peace Officer, shall see any such Beggar so offending; it shall and may be lawful for such Person or Persons, to apprehend such Offender, and convey him or her to the Constable or other Peace Officer, of the Place where

or by other
Persons, and
conveyed to
the Consta-
ble;

who is to
take him be-
fore a Justice
of Peace;

him before a Justice of Peace, which occasioned much Trouble, and deterred many from interfering; but by the Alteration in this Bill, they are either to apprehend them, and deliver them to the Constable, or to inform the Constable of them, who is to take them before a Justice; and if he neglects his Duty, he is to forfeit 5*l.* by Clause VI.

such Beggar shall be so found and apprehended; or shall inform such Constable, or other Peace Officer thereof, who shall forthwith take and convey him or her to some Justice of the Peace, or to some House for safe Custody, as the Circumstances of the Case shall require, according to the Directions aforesaid; which Justice of the Peace, on having such Beggar before him, shall enquire into the Circumstances of the Case, and receive Information upon the Oath of the Person who apprehended such Offender, who is hereby required to attend such Justice; and if the Justice of Peace shall find the Complaint and Information to be true, he shall convict such Offender, and commit him or her to the House of Correction, there to be kept to hard Labour, for any Time not exceeding Two Months, nor less than One Month: And the Constable or other Peace Officer of every such Market Town, or other Town, or Place, where such House or Building for safe Custody shall be provided, shall, and is hereby required to receive every Person so to be brought thither, and proceed to convey him or her, within the Space of Twenty-four Hours, to some Justice of the Peace, having Jurisdiction to act therein, according to the Direction of this and the said recited Act: And every Constable, Headborough, or other Peace Officer,

who may
commit him
to the House
of Correction.

The Constable of the
Place to have
the Care of
the Lock-up-
House.

Five Shillings to be
paid with

ficer, who shall convey any Person or Persons to such House or Place for safe Custody, shall pay to the Constable having the Care and Management thereof, the Sum of Five Shillings, for every Person so delivered there, on Account of his or her Maintenance therein, and of the Expence of conveying him or her to such Justice; and afterwards to the House of Correction, if he or she shall be sent thither, and the Surplus (if any) shall be applied towards defraying the Expences of building, repairing, renting, or hiring such House or Place; and the Constable of the Parish or Place where the same shall be provided, shall account for the Money received, and the Expences so paid, to the Parish or Place whereof he is Constable, Headborough, or other Peace Officer, and verify the same upon Oath, before a Justice of the Peace, as hereafter directed; and every Constable, or other Person, apprehending any Beggar as aforesaid, shall for every Person so apprehended, receive a Reward of Five Shillings, in the Manner directed by the said recited Act.

V. And be it further Enacted^f, That in order to render these Provisions more

each Person put into that House, for defraying Expences, &c.

^f This Provision is new, and it is thought will contribute greatly to the Execution of the Act; not only by deterring, but detecting Beggars, when they appear.

Notices to be fixed up of the Names and Places of Abode of every Constable.

effectual, the Justices of the Peace, within their respective Jurisdictions, shall cause to be fixed, from Time to Time, at every Toll Gate on the Turnpike Roads, and at such public and conspicuous Places, on public Roads and Highways; and also in such Parts of all Cities, Towns, and Villages, as they shall think most proper, painted on a Board, in plain legible Characters, the Name and Place of Abode of the Constable, Headborough, or other Peace Officer of the City, Town, Parish, Township, or Place, where such Notice shall be fixed; and order the Expences of providing and fixing the same, to be paid by the Treasurer of the County, Riding, Division, City, Town, or Place, within which such Inscription shall be put up; who shall, on the Production of such Order, from any such Justice of the Peace, immediately pay the same, and charge it in his Accounts; and if any Person shall pull down, deface, or destroy any Board, or Inscription to be so fixed up as aforesaid; or shall be advising, aiding, or assisting therein, the Person so offending, shall for every such Offence, forfeit a Sum not exceeding Forty Shillings, nor less than Ten Shillings, at the Discretion of the Justice of the Peace before whom such Offender shall be convicted.

Penalty for
pulling down
or defacing
the Notices.

Constable,
for every
Neglect of

VI. And be it further Enacted, That every Constable, Headborough, or other Peace

Peace Officer, shall, for every Neglect of Duty in the several Matters hereby required to be done by him, forfeit a Sum not exceeding Five Pounds, nor less than Forty Shillings, at the Discretion of the Justice before whom he shall be convicted of such Neglect; to be levied by Distress and Sale of his Goods and Chattels, by Warrant from a Justice of the Peace, after due Summons, and Demand thereof first made; One Half of which Forfeiture shall be paid to the Informer; One Fourth Part thereof to the Constable of the Parish, or Place where the House for safe Custody shall be provided, nearest to the Parish, Township, or Place where the Constable shall reside, who shall incur such Forfeiture; to be applied towards the Expences of building, repairing, hiring, or renting such House, and defraying the Expences of the several Persons sent thither; and the remaining Fourth Part thereof, to the Treasurer of the County, Riding, Division, City, Town, or Place, wherein the Constable so offending shall reside; to be applied in defraying the several Expences required to be paid by him, in the Execution of this Act.

VII. And be it further Enacted, That the Constable of every Parish, Township, or Place, where such House for safe Custody shall be provided, shall annually,

Duty, forfeits
Five Pounds.

Constable to
account for
the Money
he receives.

within One Month after the Expiration of his Office, lay before One of the Justices of the Peace, of the County, Riding, or Division, wherein such House shall be situate, a just and fair Account in Writing, upon Oath, of all the Money received and paid by him, on Account of such House, and of the Persons who shall be apprehended and sent thither as aforesaid; which Justice shall, if he approves thereof, allow the said Account, and signify the same under his Hand, for the Satisfaction of the Inhabitant of the Parish or Place where such House shall be situate; and if he disapproves thereof, shall signify the Causes of such Disapprobation, to One of the Churchwardens or Overseers of the Poor of such Parish or Place, to be laid before the Inhabitants, and considered at a Vestry Meeting.

Punishment
of Beggars,
for a second
Offence.

VIII. And be it further Enacted^s, That if any such common Beggar shall commit a Second Offence of the like Sort, after having been convicted of the former Offence in Manner aforesaid, he or she shall, upon Conviction for such Second Offence, be committed to the House of Correction, there to be whipped, and kept to hard

^s These increased Punishments, for a second and third Offence, and the Entries to be made of the Convictions, are new.

Labour,

Labour, for any Time not exceeding Four Months, nor less than Two Months, at the Discretion of the Justice by whom such Conviction shall be made; and if any Male Person, who hath been Twice convicted for such Offence, shall commit a Third Offence of the like Sort, and be thereof, in like Manner, convicted, it shall and may be lawful for the Justices of the Peace, at their General Quarter Sessions, upon due Proof of the said several Convictions, to order and adjudge such Person to be sent, with the Approbation, and under the Direction, of his Majesty's Secretary at War for the Time being, upon Application made for that Purpose, by the Chairman of the said Court of Quarter Session; to some Garrison, Fort, or Place, there to be employed as a Soldier, or in any other Manner in which he can, in the Judgment of the Governor or presiding Officer of such Garrison, Fort, or Place, be most serviceable, during his Majesty's Pleasure; or in Default of such Approbation; within One Month after that Application made, to be transported to any Part beyond the Seas, for the Term of Seven Years, pursuant to the Direction of the Act, made in the Nineteenth Year of the Reign of his present Majesty, intituled, " An Act for further continuing, for a limited Time, an

Ditto for
Third Of-
fence.

6 " Act,

“ Act, made in the Sixteenth Year of the
 “ Reign of his present Majesty, intituled,
 “ An Act to authorise, for a limited
 “ Time, the Punishment, by hard La-
 “ bour, of Offenders, who for certain
 “ Crimes are or shall become liable to be
 “ transported to any of his Majesty’s Co-
 “ lonies and Plantations;” and if any
 Person incapable of doing Service in such
 Garrison, Fort, or Place, be convicted of
 such Third Offence, he or she shall be
 committed to the House of Correction,
 there to be kept to hard Labour, for any
 Time not exceeding Twelve Months, nor
 less than Six Months, at the Discretion
 of such Justices; and every Conviction
 to be made against any Person for begg-
 ing, shall be entered, by the Clerk of the
 the Justice of the Peace, who shall convict
 every such Offender, in a Book to be
 kept for that Purpose, specifying the
 Name, and a Description of the Size,
 Complexion, and Age of every Person so
 convicted; and shall deliver a Copy there-
 of to the Clerk of the Peace, or Town
 Clerk, within every such Jurisdiction, at
 the Michaelmas Quarter Sessions in every
 Year; for which he shall receive from the
 Treasurer of that District, the Sum of One
 Shilling, for every Conviction; who shall
 be allowed the same in his Accounts.

IX. And

IX. And be it further Enacted^h, That if it shall appear to the Justice, or Justices of the Peace, before whom any Person so to be apprehended by the Justices Warrant, or for begging, as aforesaid, upon Examination and Inspection of such Person, that he or she is afflicted with any violent Sicknes or Infirmary; it shall and may be lawful for such Justice, to order the Churchwarden, or Overseer of the Poor of the Parish or Place, where such Person was found, to relieve and provide for such Person, and receive the Expences attending the same; according to the Directions of an Act passed in this Session of Parliament, for the better Relief and Employment of the Poor.

Persons afflicted with violent Sicknes or Infirmary, how to be treated when apprehended.

X. And whereas, by the said Act of the Seventeenth Year of the Reign of his late Majestyⁱ, certain Descriptions of Persons therein mentioned, are termed Rogues and Vagabonds, and are directed to be conveyed, by Passes, to the Places of their Settlement, or otherwise, in the Manner therein mentioned; and the Sum of Ten Shillings is thereby directed to be

The Abuses about Passes corrected.

^h This is new; and the Laws would be very defective, if suitable Provision was not made for these distressed Objects. It will be found in the 19th Clause of the Bill referred to.

ⁱ This Clause states the Alteration between the old and new intended Law.

allowed to every Constable, or other Person who shall apprehend such Rogue or Vagabond; and all Persons so apprehended, are by the said Act to be publicly whipped, or sent to the House of Correction, and afterwards conveyed by Pass, in Manner and to the Places aforesaid; which Punishment of Whipping, extends to all Persons so apprehended, without Distinction, of Age, or Sex, Health, or Sicknes; and has, on that Account, induced many Magistrates, entirely to omit it; whereby the good Provisions of the said Act, are either exercised with too great Severity, or too much relaxed: And whereas Parish Officers, and other Persons, in order to obtain the said Reward of Ten Shillings, and to save the Expences of removing poor Persons by Order, frequently persuade them to commit Acts of Vagrancy, by Begging; and then procure them to be removed by Passes, at the Expence of the several Counties, through which they are to be conveyed, which greatly increases the County Rates, and is a manifest Fraud upon the Public: To remedy which Abuses and Inconveniencies, and to render the said Act more effectual, Be it Enacted, That, from and after the Twenty-ninth Day of September next after the passing of this Act, no Person or Persons shall

shall be conveyed by Pass, from one Place to another within this Kingdom, but such as are Rogues and Vagabonds, within the Description, and true Meaning of the said recited Act, and of this Act; and that no Woman, or young Person, under the Age of Seven Years; or any Person afflicted with severe Sickness or Infirmary of Body, shall be whipped before he or she shall be conveyed by Pass; and every Parish Officer, or other Person who shall convey, or cause to be conveyed, any Person or Persons by Pass; contrary to the true Intent and Meaning of this Act, or who shall be advising, aiding, or assisting therein; or who shall use any Means or Endeavours to induce any poor Person, or Persons to commit an Act of Vagrancy, and become a Rogue or Vagabond, under the Description of the said recited Act, or of this Act, shall, for every such Offence, forfeit a Sum, not exceeding Five Pounds, nor less than Forty Shillings.

XI. And whereas it would be a great Relief to the Poor^k, and contribute much to Peace and good Order, and to the Welfare and Prosperity of this Country,

Testimonials introduced, instead of Certificates, for the Convenience of Labourers and others who want Work.

^k The Provisions in this, and in the 12th, 13th and 14th Clauses are new; and fully explained in the general Observations upon the bill.

if Labourers, and other poor Persons, who cannot get Employment in the Parishes or Places to which they belong, were permitted, by some proper Authority, to pursue their Occupations, and seek Employment in other Parishes and Places; under proper Regulations and Restrictions; Be it therefore further Enacted, That it shall and may be lawful for the Minister, and One of the Churchwardens, or Overseers of the Poor of any Parish or Township, to which such Labourers or other poor Persons belong; and they are hereby required, to give a Testimonial, in the Form prescribed in the Schedule hereunto annexed, or to that Effect, to any such Labourer, or poor Person applying for the same, specifying his or her Name, Occupation, and Place of Abode, or Settlement; which Person, obtaining such Testimonial, shall be permitted, without Interruption, to travel from such Place to such other Place, or Places as shall be therein described; not exceeding the Distance, to be described and allowed in such Testimonial, from the Parish or Place from whence such Testimonial is given, in order to work in his or her Business, or Occupation; and also to return from the same, within the Time to be so limited; and the said Testimonial shall also express, the Time he or she shall be permitted

ted to be absent from such Place of Settlement, or Abode; not exceeding One Year; and if any Person obtaining a Testimonial, under the Authority of this Act, shall exceed the Bounds so to be prescribed, or stay beyond the Time limited in such Testimonial; or if any Soldier travelling with a Certificate or Furlow; or any Mariner, or Sea-faring Man, travelling with a Licence, or Testimonial, describing the Place from which he came, and to which he is going, and the Route he is to take, and the Time he is allowed for his Absence; or for performing his Journey, shall be found to have departed from the Course directed, or to have been longer upon his Journey than the Time allowed for that Purpose; every such Person respectively, shall be deemed and considered as a Rogue and Vagabond, within the Meaning and Intention of the said recited Act, and of this Act; and shall be apprehended, convicted, and punished as such, in the Manner directed by the said Acts.

To be apprehended as Vagabonds if they exceed their Bounds, or stay beyond the Time allowed.

XII. Provided nevertheless, and be it further Enacted, That the Testimonial so to be given by the Minister, Churchwardens, or Overseers as aforesaid, shall only be considered, as a temporary Expedient, to procure Employment, and Subsistence, for the Person or Persons receiving

Testimonials not to affect Settlements.

ing

ing the same, his or her Family; but shall in no Degree affect his, her, or their Settlement.

Testimonials
to itinerant
Persons shall
be confined to
some neigh-
bouring Pa-
rishes.

XIII. Provided also, and be it further Enacted, That when any such Testimonial shall be given, to any Person, or Persons, exercising any Trade, or Occupation, by travelling about, from Place to Place, for the Purpose of carrying on such itinerant Trade or Occupations; he and they shall be confined by such Testimonial, to the Circle of some neighbouring Parishes, or Places, to be therein described; and an Entry shall be made of every Testimonial, to be granted by virtue of this Act, in a Book to be kept for that Purpose, in every Parish or Place where the same shall be granted; in the Form or to the Effect contained in the said Schedule; and there shall be paid to the Churchwarden or Overseer signing such Testimonial, the Sum of Six Pence, for making the same, and no more; and in Default of making such Entry, every such Churchwarden, or Overseer shall forfeit and pay the Sum of Ten Shillings.

XIV. And be it further Enacted, That when poor Persons shall come from Scotland, or Ireland in order to work as Labourers, at Harvest, or in any other particular Branch of Business, they shall, and are hereby required, before they proceed

ceed, from the First Parish, or Place at which they shall arrive in England, take from the Minister, and One of the Churchwardens or Overseers of such Parish or Place, a Testimonial of the like Import as herein before mentioned; and in the Form or to the Effect mentioned in the said Schedule, describing their Occupations, and Places of Settlement, or Residence in Scotland, or Ireland, as the Case shall be; and also the Places, or Parts of the Country, in which they desire to travel, for the Purpose of pursuing their said Occupations; and limiting the Time of their Return, to the Country from whence they came; and the said Ministers, Churchwardens, and Overseers shall, and are hereby required, to sign every such Testimonial, on Application made by such Person or Persons for that Purpose, who shall pay such Sum for the same as herein before expressed; and every Churchwarden, and Overseer signing the same, shall make an Entry thereof, in Manner, and under the Penalty herein before mentioned; and every such Person who shall exceed the Bounds of the Places so described, or continue beyond the Time limited by such Testimonial, shall be apprehended, and punished for the said Offence, as a Vagabond,

K

bond, according to the Directions of this and the said recited Act.

If just Cause is shewn to the Justice for the Deviation or Delay, he may remove by Pass instead of committing the Offender.

XV. And be it further Enacted, That the Justice or Justices of the Peace, before whom any such Person herein before described, having a Testimonial, shall be taken, shall inquire into and consider the Circumstances, and Situation of every such Person, at the Time such Offence was committed; and if he shall find, upon due Proof thereof upon Oath, that the same was not wilful or voluntary; but that he or she was in some Degree impelled by Necessity to such Transgression, it shall and may be lawful for such Justice or Justices, instead of inflicting the Punishment, directed by the said Acts, to remove such Person by Pass, in the Manner thereby directed, to the Parish, Township, or Place by which such Testimonial was given; and the Churchwardens and Overseers of the Poor, shall, and are hereby required, to receive every such Person, as an Inhabitant there; under the like Circumstances he or she was, at the Time of giving such Testimonial.

The Penalties inflicted by 17 Geo. II. extended to the like Offences under this Act, and to Testimonials.

XVI. And be it further Enacted, That the several Penalties, Forfeitures, and Punishments, inflicted by the said recited Act, against Persons for hindering or obstructing the Execution of the said Act, or receiving any Offender, or counter-

counterfeiting or altering Certificates, or for becoming incorrigible Rogues, shall be extended, in all Respects, to the like Offenders against the Provisions of this Act; and also to all Persons counterfeiting, altering, or obliterating any Testimonial hereby authoris'd and directed to be given, as well as Certificates under the said recited Act, and shall be recovered and applied in the Manner directed by the said Act; and that if any Person shall knowingly permit or suffer any Rogue, Vagabond, or incorrigible Rogue, within the Meaning of this or the said recited Act, to lodge or take Shelter, or be sustained, in his or her House, Barn, or other Out-house or Building, and shall not apprehend and carry him or her before some Justice of the Peace, or give Notice to some Constable or other Peace Officer, so to do, every such Person, being thereof convicted in the Manner directed by the said recited Act, shall forfeit a Sum not exceeding Five Pounds, nor less than Fifty Shillings; and in case the Person so convicted shall keep a Public House, licens'd for selling of Wine, Ale, or other Liquors, he or she shall for every such Offence forfeit his or her Licence for keeping such House, and selling such Liquors, and shall be incapable of following such Business, or having his or

her Licence renewed, within the Year next ensuing.

Mode of le-
vying Penal-
ties.

XVII. And be it further Enacted, That all Penalties and Forfeitures, inflicted by this Act shall, in Default of Payment, after due Summons and Demand made, be levied by Distress and Sale of the Offenders Goods and Chattels; by virtue of a Warrant under the Hand and Seal of any Justice of the Peace having Jurisdiction where such Offender shall dwell, rendering to the said Offender the Overplus, if any, after the Charges of such Distress and Sale shall be deducted; and if sufficient Distress shall not be found, then, and in every such Case, it shall and may be lawful to and for any such Justice of the Peace, to commit such Offender, to the Common Gaol or House of Correction, there to remain without Bail or Mainprize, for any Space of Time not exceeding Two Months, nor less than One Month; and that every such Penalty and Forfeiture, when recovered, shall be paid, where not otherwise directed by this Act, in Manner following; (that is to say) One Moiety to the Informer, and the other Moiety thereof to the Treasurer of the County, Division, or District, wherein the Person resided, who incurred such Penalty or Forfeiture, to be employed in discharging several Expences

pences to be paid by such Treasurer, under the Authority of the said recited Act, and of this Act.

XVIII. And be it further Enacted by the Authority aforesaid, That any Persons aggrieved by any Act of any Justice, or Justices of the Peace, out of Sessions, in or concerning the Execution of this Act, may appeal to the next General or Quarter Sessions of the County, Riding, Liberty, or Division, giving reasonable Notice thereof; whose Order thereupon shall be final.

Appeal given
to the Quar-
ter Sessions.

XIX. And be it further Enacted, That this Act, and every Thing herein contained, shall be deemed, adjudged, and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

A public Act.

ferred to.

W E, A. B. Minister of the Parish
of in the County of
and C. D. Churchwar-
den, (or) Overseer of the Poor (as the Case
shall be) of the said Parish, (or) of the
Township of within the said
Parish (as the Case shall be) do hereby
testify, that E. F. (specifying his Occupa-
tion) hath a Settlement (or) an Habita-
tion and Abode (if the Settlement is
doubtful) in the said Parish (or) Town-
ship (as the Case shall be) and hath a
Dwelling-house there, (if the Fact is so)
and hath left a Wife and Children there,
&c. (as the Case shall be) and not having
sufficient Employment in the said Parish
(or) Township, &c. is desirous to procure
Work in his said Occupation at or near
in the County or Counties
of and (or to go
from Home, to seek Work within the
County

County or Counties of _____ and _____
not being above _____

Miles from the said Place of his Abode,
(or) within the Parishes and Places of
and near the said Place

of his Abode (as the Cafe fhall be)
and to return within Months

from the Date hereof; hath entreated us
to give him (or her, as the Case shall be)

our Testimonial for so doing; and we, knowing the Truth of the Premises, and

being satisfied of the good Intentions of
the said E. F. do hereby bear Witness to

the same, and do give unto the said E. F.
Free Liberty and Authority to travel,

without Interruption, to and from the
Places, within the Limits, and upon the

Occasions, aforefaid, for the better Ex-
ercife of his or her Occupation, for the

Space of _____ Months from the Date
hereof, according to the Powers given to

us, by an Act passed in the Year
of the Reign of his Majesty King George

the Third. Given under our Hands, this
Day of 17

FORM

FORM of the ENTRY to be made of every Testimonial to be given by the Minister and Churchwarden, or Overseer of the Poor, of every Parish and Place, pursuant to the Direction of the said Act, to be entered in a Book to be provided for that Purpose, according to the Directions of the said Act.

MEMORANDUM, that a Testimonial was given this Day of
 17 by A. B. Minister, and C. D. Churchwarden (or) Overseer (as the Case shall be) of the Parish (or) Township (as the Case shall be) of in the County of to E. F. of in the said Parish (or) Township of [specifying his or her Occupation] permitting him or her to travel into the Counties of and or within the Parishes of and to follow his (or) her Business or Employment of and to return in Months.

FORM

FORM of the WARRANT to search
for and apprehend Vagrants.

County of } To the Constable of
 } in the said County,
 } and also to A. B. C. D.
 } and E. F. (the Persons to
 } be named as Special Con-
 } stables.)

WHEREAS divers evil-disposed
Persons, are going about and wan-
dering abroad, as Gatherers or Collectors
of Money; or as Beggars, under various
false Pretences, without legal Authority;
or as Fencers or Bear Wards; or as Play-
ers of Interludes or Actors of Plays, or
Entertainments on the Stage, not being
authorised by Law; or as Minstrels or
Jugglers; or as Gypsies; or as Petty
Chapmen and Pedlars, not being duly li-
censed; or to play or bett at unlawful
Games or Plays; and many Persons are
going and wandering about, having left
their Wives or Children, chargeable to the
Parishes or Places to which they be-
longed; or having deserted from his Ma-
jesty's Army, or Navy; or having returned
from the Places to which they were re-
moved by Passes, without any legal Au-
thority;

thority; or having fled from Justice for Crimes which they have committed; and the said several Persons before described, frequently lodge in Alehouses, Barns, Out-houses, or in the open Air; not giving a good Account of themselves; and many of them beg, or extort Money from the Inhabitants of the Places through which they travel, to the great Terror and Annoyance of his Majesty's Subjects, and the Disturbance of the public Peace; which said several Persons herein before described, by the various Means and Practices afore said, become Rogues and Vagabonds within the true Intent and Meaning of the Acts passed in the Seventeenth Year of the Reign of his late Majesty King George the Second, and in the Year of his present Majesty; and it being apprehended that some of the Persons herein before described, have already intruded, or may intrude, within your Constablewick, to shelter themselves, and carry on their iniquitous Practices, We (or) I (one of) his Majesty's Justices of the Peace acting for the said County, Riding, &c. (as the Case shall be) do therefore in his Majesty's Name, pursuant to the Powers given to me (or) us (as the Case shall be) by the said several Acts, command you and each of

of you, either in the Day or Night, as you shall judge most proper, within Days after you shall receive this Warrant, and at such other Times as you shall see Occasion, to search for, and apprehend every Person whom you shall, upon such Search, find, within your Constable-wick, to be a Rogue or Vagabond, under any of the Descriptions aforesaid; and bring him or her before me, (or) us (or) one of us (as the Case shall be), or some other Justice of the Peace having Jurisdiction therein, to be examined and proceeded against, in the Manner directed by the said Acts; and you are hereby authorised, in case any forcible Opposition shall be made to you, in the Execution of this Warrant, to call to your Aid any other Person or Persons, whom you shall think proper, to assist you in the Execution thereof. Herein fail not. Given under my (or) our Hand and Seal, (or) Hands and Seals (as the Case shall be), this Day of

THE END.

